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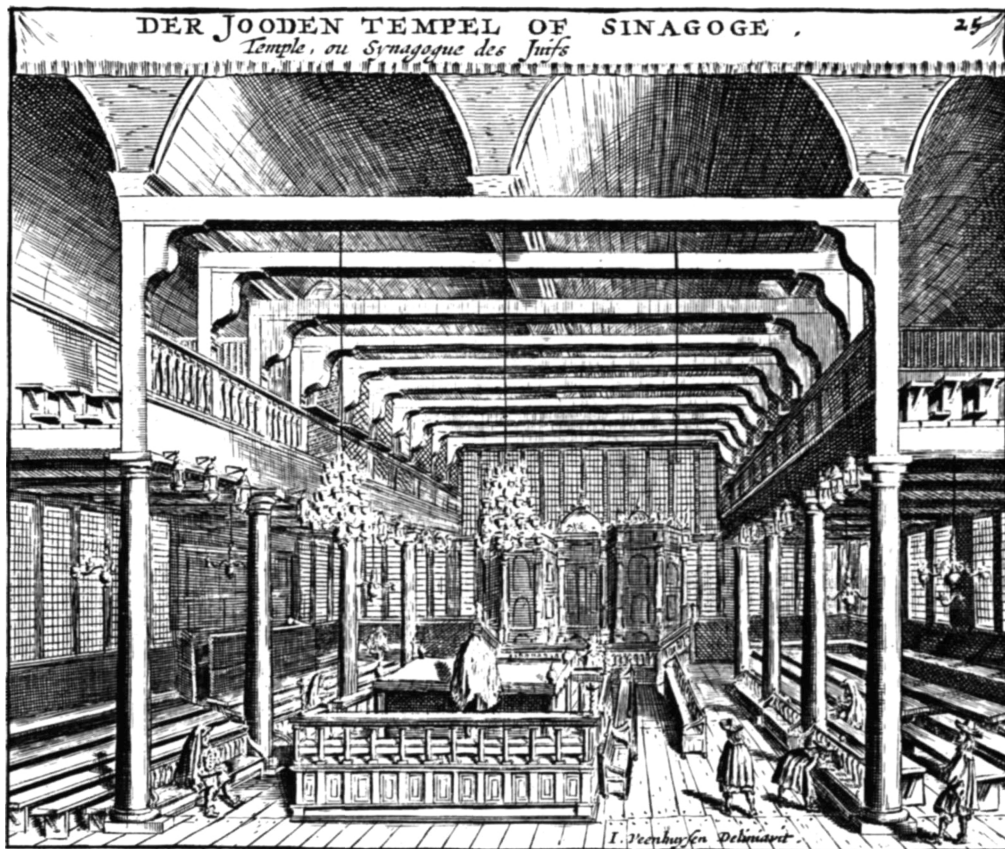
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VOLUME 44





The synagogue of *Talmud Tora*, 1639, etching by J.J. Veenhuysen
(H.P. Salomon collection, New York).

URIEL DA COSTA

EXAMINATION OF
PHARISAIC TRADITIONS

Exame das tradições phariseas

Facsimile of the unique copy
in the Royal Library of Copenhagen

SUPPLEMENTED BY

SEMUEL DA SILVA'S

TREATISE
ON THE IMMORTALITY
OF THE SOUL

Tratado da immortalidade da alma

TRANSLATION, NOTES AND INTRODUCTION

BY

H. P. SALOMON AND I. S. D. SASSOON



E.J. BRILL
LEIDEN · NEW YORK · KÖLN
1993

The paper in this book meets the guidelines for permanence and durability of the Committee on Production Guidelines for Book Longevity of the Council on Library Resources.

Library of Congress Cataloging-in-Publication Data

Acosta Uriel, ca. 1585–1640.

(Exame das tradições phariseas conferidas com á lei escrita.
English & Portuguese)

Examination of Pharisaic traditions = Exame das tradições phariseas : facsimile of the unique copy in the Royal Library of Copenhagen / Uriel da Costa ; translation, notes, and introduction by H.P. Salomon and I.S.D. Sassoon.

p. cm. — (Brill's studies in intellectual history, ISSN 0920-8607 ; v. 44)

"Supplemented by Semuel da Silva's Treatise on the immortality of the soul = Tratado da immortalidade da alma."

Includes bibliographical references and index.

ISBN 9004099239

1. Judaism—Controversial literature—Early works to 1800.
 2. Immortality—Judaism—Controversial literature—Early works to 1800.
 3. Judaism—Apologetic works—Early works to 1800.
 - I. Salomon, H. P. (Herman Prins), 1935– . II. Sassoon, I. S. D.
 - III. Silva, Semuel da. Tratado da immortalidade da alma. English & Portuguese. 1993.
 - IV. Kongelige Bibliotek (Denmark)
 - V. Title.
 - VI. Title: Exame das tradições phariseas.
 - VII. Series.
- BM585.A2613 1993
296—dc20

93-26266

CIP

ISSN 0920-8607

ISBN 90 04 09923 9

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PRINTED IN THE NETHERLANDS

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1993

PROLOGUE

Uriel da Costa, whose long-lost book *Exame das tradições phariseas* is here presented for the first time, is a name not unfamiliar even outside Portugal, where he was born, and the Netherlands, his last home. Whether viewed as hero or heretic (and that latter epithet is still capable of rousing emotions), he has certainly exercised a fascination upon generations of artists, scholars and, above all, historians of thought.

Over the centuries he has been portrayed variously as a symbol of enlightenment thwarted by obscurantism; as the archetypal "loner" braving the philistine "establishment"; as a precursor of Spinoza's biblical criticism and naturalistic thought; as a doctrinally or atavistically inspired "marrano."

The main source for all such appraisals of da Costa has been his autobiography, the *Exemplar Humanae Vitae*, first published in 1687, nearly half a century after his death. There were, to be sure, those who questioned its authenticity, some going so far as to name a forger, Johannes Müller, a Hamburg clergyman, who was the first to mention and quote the *Exemplar*. Yet most scholars felt all along that the *Exemplar* was authentic, but to prove it was quite another matter. For this, independent corroborative documentation was called for.

In the *Exemplar* the author alludes to a book he had written which had been confiscated. A certain doctor Samuel da Silva, who will loom large in the ensuing saga, published a refutation of three chapters by da Costa which he had somehow managed to obtain. In the course of his refutation da Silva transcribes this segment *in extenso*, the better to attack it. Since da Silva's book had survived, here then was a reliable sample of da Costa's writing and thought. The subject of this text is philosophy, and as such is not overtly autobiographical. Yet its style is not so detached as to be devoid of circumstantial information about the author's personal history. Nevertheless, due to their scantiness, these clues hardly allowed a resolution of the question of the *Exemplar's*

authenticity. Still, those da Costa fragments quoted by da Silva were seminal enough to be studied in their own right and tantalizing enough to stimulate curiosity and whet the appetite for more. But what chance was there of da Costa's long-since suppressed volume resurfacing?

A 1632 Spanish Inquisitor's "Index of Prohibited Books" showed that a copy had found its way to Spain. Da Costa's book turns up again in a catalogue of a 1728 auction held at The Hague, in one lot with da Silva's "Immortality of the Soul." These two trails nourished hopes of finding a copy in a European library.

In 1987, in the splendid catalogue of *Êxodo, the Portuguese in Amsterdam, 1600-1680* (an exhibition held at the Amsterdam Historical Museum and later at Lisbon's Museum of Ancient Art), Dr. Adri K. Offenberg contributed a nearly exhaustive bibliographical census of the early Spanish and Portuguese books printed in the Northern Netherlands, the major, glaring hiatus therein being da Costa's confiscated book. Offenberg wistfully entitled his study *Exame das tradições*, quoting the first three words of the lost book's title. Hard upon this publication, a concerted effort was made by Dr. Offenberg, Dr. H. den Boer and ourselves to locate a copy of da Costa's missing work, identifiable only through its title and the brief description provided by the Spanish Inquisitor. In 1978 Offenberg had found in Wolfenbüttel the elusive *Primera Parte del Sedur* (1612), one of the earliest Jewish prayerbooks printed in Amsterdam. A later search for Uriel's *Exame*, however, proved futile.

In 1986 Den Boer had discovered in Madrid the *Orden de oraciones de mes arreo*, the first book in Spanish to be printed in the Northern Netherlands, previously unknown to bibliographers, which came off the press at Dordrecht on February 26 1584. Den Boer also located there two copies of an earlier work by Dr. Samuel da Silva, but still no *Exame*.

Libraries which owned a copy of Dr. da Silva's "Treatise on the Immortality of the Soul" were visited on a hunch, based on the description in the 1728 auction catalogue, that a copy of Uriel da Costa's book might conceivably be found together with Dr. da Silva's. All to no avail. Other clues led to the *Bibliothèque Mazarine*, the *Bibliothèque Municipale de Rouen*, the University Library of Namur, the *Marciana* in Venice, the Academy of Sciences in Budapest, the Municipal Archives and the Municipal Library of Bordeaux — but not to the *Exame*. Scandinavian libraries, consistently absent from Hispano-Portuguese Judaica bibliographies, looked unpromising. An attempt was nevertheless made in that direction. Although its Judaica collection had been previously combed in search of 17th century Spanish and Portuguese works

printed in the Netherlands, the Royal Library in Copenhagen was the first to be approached. Attending to our enquiry, Mr. Egon Keck, a librarian on the staff of the judaica section, struck gold: the treasure had lain dormant on the shelves of the General Collection, alongside a copy of the da Silva treatise. If the provenance of these volumes was the library of Otto Thott, who visited the Netherlands in the late 1720's, then they may well be the very ones auctioned in 1728.

Professor Rena Fuks-Mansfeld of the University of Amsterdam stated the task which devolved upon the finders to be the urgent publication of da Silva's text along with da Costa's. She rationalized this desideratum thus:

The two are interconnected, as is evident even before reading them, just from their titles. It is only through both texts, preferably accompanied by an English translation, that a true evaluation can be made, not only of these gentlemen's respective positions, but of the entire spectrum of the Portuguese émigrés' religious attitudes in the twenties of the seventeenth century: from the most provocative radicalism to the most dyed in the wool orthodoxy [...] Thanks to these invaluable sources the entire religious background of the 'New Christian turned Jewish' society of those days will open up.

Our initial perusal vindicated Prof. Fuks' words as more than half of da Costa's book turned out to be a counter-reply to da Silva. An edition of the one without the other would indeed have been a sorry mutilation.

Accordingly, an annotated translation of the two works is herewith offered the English-speaking public. Clarity has been the translators' overriding goal. And even though the baroque flavour of the original has not been totally eliminated, it is unlikely that the reader's comprehension will thereby be blunted.

The Introduction partially reconstructs Uriel da Costa's life on the basis of documents; analyses the literary relationship between da Costa, da Silva and Leon Modena, the Venetian rabbi; places the main topic of both books in historical perspective.

We gratefully acknowledge the valuable assistance of our friends Jan Wim Wesselius, António M. Feijó, João-Félix Almeida, Andrew Gluck, Harm den Boer, Frits Hoogewoud, Adri K. Offenbergh, and, last but not least, the encouragement of José de Pina Martins who always claimed that *os objectos nobres procuram aqueles que os amam*.

GLOSSARY OF TECHNICAL HEBREW WORDS

- 'aggada* = homeletic discourse in Talmudic literature, as opposed to legal discourse (*halaha*)
caser = food jews are permitted to eat
dinim = jewish precepts
hakam (pl. *hakamim*) = sage(s) or religious leader(s) especially in Sephardic congregations
hallel = psalms 113-118, forming one of the most ancient components of the festival liturgy
kipur = atonement
lulab = palm frond (or the four botanical species) carried on the feast of Tabernacles
mahamad = governing board of Sephardic congregation
man = manna
masiah = Messiah
misva = fulfilment of commandments, meritorious deed, religious duty
parnassim = lay leaders or wardens, especially of Sephardic congregation (singular: *parnas*)
peri^ca = part of the circumcision rite
pesah = Passover
qohelet = Ecclesiastes
ros hodes = first day(s) of new month in the jewish calendar
sabbat = sabbath
sisit = token threads attached to four corners of prayer shawl
tefila = prayer
tefillin = phylacteries
teva (*teba*) = raised platform in center of Sephardic synagogue where the precentor recites the prayers, the Law is read, etc.

ABBREVIATIONS

BIBLE

Gn.	= Genesis	Ezek.	= Ezekiel
Ex.	= Exodus	Hag.	= Haggai
Lv.	= Leviticus	Zech.	= Zechariah
Nm.	= Numbers	Mal.	= Malachi
Dt.	= Deuteronomy	Ps.	= Psalms
Jos.	= Joshua	Pr.	= Proverbs
Jdg.	= Judges	Dan.	= Daniel
1Sm.	= 1 Samuel	Ne.	= Nehemiah
2Sm.	= 2 Samuel	2Chr.	= 2Chronicles
1Kgs.	= 1 Kings	S. of S.	= Song of Songs
2Kgs.	= 2 Kings	Lam.	= Lamentations
Is.	= Isaiah	Eccl.	= Ecclesiastes
Jer.	= Jeremiah		

TALMUD

B.T. = Babylonian Talmud
J.T. = Jerusalem Talmud

NORMS

- 1) Rational division into paragraphs is introduced.
- 2) The word Law in the sense of Torah is capitalized.
- 3) Biblical and Talmudic citations are identified between brackets. Except in the reproduction of da Costa's texts by da Silva, the scriptural citations are typographically set off throughout.
- 4) Words or paraphrases supplied by da Costa within biblical citations are between { }.
- 5) Words missing from the printed text are supplied between [].
- 6) Direct quotations within paragraphs are indicated by double quotation marks; paraphrases of Scriptural texts between single quotation marks.
- 7) Hebrew names occurring in the text are transliterated as follows: the *ayin* is rendered by *ʿ*, the *alef* by an apostrophe ('), all the sibilants by "s," the *qof* by "q," the *kaf* by "k," the *he* and the *het* by "h," the *yod* by "y."
- 8) All technical Hebrew words are italicized.
- 9) Quotations from da Costa in da Silva's book and vice versa are indented and in small print. In neither case does this procedure imply total identity.
- 10) Religions, adherents of religions and adjectives referring to them are not capitalized (*e.g.*, judaism, jewish, jews; catholicism, catholic, catholics).

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INTRODUCTION

1. *The Life of Uriel da Costa*

Until now the basis of every “Life of Uriel da Costa” has been *Exemplar Humanae Vitae* (“A Specimen of Human Life”), his autobiography written in Latin. Enough new material has been brought to light by such scholars as A. de Magalhães Basto, A. M. Vaz Dias, I. S. Révah, Y. Kaplan and G. Albiac to allow a reconstruction of Uriel’s career, filling in the *Exemplar*’s sketchy outline. A synthesis of all this material confirms Uriel’s sometimes impugned authorship of the *Exemplar*. This confirmation is substantiated further by the scattered autobiographical allusions in da Costa’s *Exame das tradições phariseas*. Though written in Portuguese — thus not permitting a true linguistic comparison with the Latin of the *Exemplar* — the *Exame* betrays distinctive Costaesque traits, recognizable to those familiar with the *Exemplar*. (John Whiston’s English translation [1740] of the *Exemplar* is included as an appendix to this volume.)

*

Uriel da Costa was born in Oporto, Portugal, most probably between November 1583 and March 1584.¹ His parents were Bento da Costa Brandão (d. Oporto, 1608) and Branca da Costa (née Branca Dinis,

¹ In Portugal he went by his baptismal name Gabriel. It was changed to Uriel at his circumcision in Amsterdam. To avoid confusion we call him Uriel throughout this introduction, even, anachronistically, when describing his early life in Portugal. For his probable date of birth, cf. Israel Salvator Révah, “Du ‘marranisme’ au judaïsme et au déisme: Uriel da Costa et sa famille,” *Collège de France: Annuaire* [hereafter *Annuaire*], 68, 1968, 562-572: 568. Révah established this date as follows: the baptism of Uriel’s eldest brother, Jácome, is registered at the Cathedral Church of Oporto on September 14 1580;

d. Netherlands, 1628). His paternal grandparents were Jácome da Costa, a merchant and tax-farmer (d. Braga, 1573) and Leonor Vaz. From 1563 on Jácome and Leonor lived in Braga's rua do Souto, the commercial hub of the city. Branca da Costa was the daughter of Dinis Eanes and Florença Fernandes, his second wife. Dinis Eanes, in turn, was the son of Álvaro Rodrigues, "the miller" (d. between 1539 and 1541) and Violante Rodrigues, both baptized at the time of the 1497 General Conversion.

Jácome da Costa, Uriel's paternal grandfather, had six children: Jerónimo da Costa (d. Coimbra, 1589); Grácia da Costa (married Pedro de Azevedo at Val Melhorado, near Barcelos); Bento da Costa Brandão (Uriel's father); Caterina (or Mécia) da Costa (married Marçal Vaz de Azevedo at Val Melhorado); Paulo Brandão (married Beatriz Nunes at Ponte de Lima²); another daughter married Jerónimo da Fonseca.

Uriel's father went to Brazil in or around 1575, lured by the burgeoning sugar trade. Soon thereafter he returned to his home city of Braga. In 1577 he moved to Oporto, where he married Branca Dinis, Uriel's mother.³ Part of Branca's dowry was one of the houses in the

that of Uriel's younger brother Miguel is registered at the parish church of N.S. da Vitória on January 16 1585, which already narrows down the birth-date to the years 1581-1584. Until 1583 Oporto had only one parish, the cathedral's, but in that year the city was divided into four parishes and the rua de São Miguel where the da Costas lived fell to the parish of N.S. da Vitória. Had Uriel been born before 1583 his baptism would have been registered at the Cathedral; were he born from 1583 on, his name should be recorded in the records of the new parish. However, the first pages, covering baptisms from November 1583 through the first months of 1584 are missing. Révah concluded that the second son's baptism must have appeared on the lost pages. Révah's dating is confirmed by Uriel da Costa's statement in his autobiography (*Exemplar Humanae Vitae*) that in his 25th year, after leaving the University of Coimbra in June 1608, he obtained an ecclesiastical benefice in a Collegiate Church and an extant document shows him to have been occupying that position in August 1609. If he was 25 between June 1608 and August 1609, he must have been born in 1583 or 1584.

2 This lady, by then widowed, was living with her daughter Paula Brandão (or Brandoa; Uriel's first cousin) at Amsterdam in 1598. On her family cf. H. P. Salomon, *Os primeiros portugueses de Amesterdão*, Braga, 1983.

3 Cf. Israel Salvator Révah, *Annuaire*, 67, 1967, 515-526. Much of the information on Uriel's maternal family was gleaned by Révah in the Inquisitorial trials of Uriel's maternal grandfather Dinis Eanes and of his great-grandmother Violante Rodrigues (both arrested on the charge of "judaizing," Dinis was reconciled "on a slight suspicion" and Violante was acquitted). Dinis Eanes had two children by his first wife (Isabel Nunes, Dionísia de Vitória) and five by his second (Álvaro Rodrigues, Marguerida Dinis, Jácome Rodrigues, Miguel Fernandes and Uriel's mother Branca Dinis). Uriel's uncle Jácome Rodrigues went to Amsterdam around 1597, remarried in 1600 and died in May 1604, just a few days before Uri Ha-Levi acquired the cemetery at Groet, near Alkmaar, where

rua de São Miguel, which, in 1492, the Oporto Municipality had granted, at king John II's behest, to thirty distinguished Jewish families that had been expelled from Spain.⁴ Documents reproduced by the historian Artur de Magalhães Basto (Director of the District of Oporto Archives, 1939-1960) show that by 1577 those fine residences had fallen into such disrepair as to have become virtually uninhabitable. Uriel's father had to rebuild the house, as transpires from Uriel's words in the *Exemplar Humanae Vitae*: "a handsome house situated in the best part of the city, that my father had built." All six of Bento da Costa's children were raised in this house and five of them were born there. During an eight-month period in 1584-1585, when Bento da Costa Brandão was spen-

Jácome was the first to be buried. He assumed (or was given after death) the name Jacob Aboab and his son, originally named Dinis Eanes after his (and Uriel's) grandfather, became Abraham Aboab. Révah conjectures that Abraham Aboab was the cousin (*amitinus*) who plays a role in Uriel's autobiography.

4 Cf. Imanuel Aboab, *Nomologia o Discursos legales*, [Amsterdam] 1629, 300: *A estas treynta familias mandó el Rey acomodar en la ciudad de Oporto; y hizo que la ciudad diesse a cada una una casa, como dieron, muy cómodas, en la calle de San Miguel; y en medio de todas ellas estava la sinagoga, que yo me acuerdo aver visto aun en mi niñez, sin estar derrocada. Tenían dichas treynta casas una P. por armas, que mostravan el nombre de la ciudad. Pagavan de pensión cinquenta reis, o maravedís, cada una a la ciudad, y ella les hacía empedrar la calle. Una destas treynta casas era la de mi abuelo, el señor Abraham Aboab, que el Señor perdone [. . .]* ("These thirty families were put up by the king in the city of Oporto; he ordered the city to give each one a dwelling; as, in fact, was given, and very comfortable too, in São Miguel Street. Exactly in the middle was the synagogue, which I remember having seen intact during my childhood. Each façade bore a 'P' as an escutcheon, representing the name of the city. Each paid the city a tax of fifty reals and the city had the street paved. One of those thirty houses belonged to my grandfather Abraham Aboab, may he rest in peace [. . .]"). Imanuel Aboab's grandfather was given the name Duarte Dias at the time of the General Conversion (1497). He was the son of Isaac Aboab II (Toledo, 1433 - Oporto, 1493), referred to by Joseph Caro as one of the greatest rabbinical scholars of his time. It was Isaac Aboab II who had negotiated with king John II the settlement of the thirty households at Oporto. Curiously there is no mention of any of Uriel's maternal forebears in the Aboab family history written by Isaac Matatia Aboab (1631-1707) (alias Dinis Eanes!), a great-great-grandson of Abraham Aboab (cf. I. S. Révah, "Pour l'histoire des nouveaux-chrétiens portugais: la relation généalogique d'I. de M. Aboab," *Boletim Internacional de Bibliografia Luso-Brasileira*, 2, 1961, 276-312). Isaac de Matatia Aboab does mention a collateral ancestor Isaac Naar expelled from Spain in 1492 who was baptized in adulthood at Tomar in 1497 and given the name Rodrigo Eanes. But if we conjecture that Rodrigo Eanes of Tomar was the father of Uriel's maternal great-grandfather Álvaro Rodrigues, then we must ask ourselves how a family living at Tomar at the time of the General Conversion came into the possession of the Aboab house in Oporto's rua de São Miguel and why Jácome Rodrigues took on the name Aboab rather than the name Naar.

ding most of his time back in Braga, his third son Miguel was born in that city, but he had him baptized in his parish church at Oporto.⁵

Bento and Branca da Costa had six children: Jácome (born in 1580), Gabriel (Uriel, born c. 1583-1584), Miguel (born in 1585), Jerónimo (year of birth unknown), João (born c. 1592), Maria (or Faustina, born 1594). Bento was, like his father before him, a merchant and tax-farmer, though on a far larger scale. He bought and sold revenues belonging to ecclesiastical domains and orders of knighthood, treating them as negotiable merchandise. His business interests extended to Brazil, which he had visited before his marriage, as noted above. Judging by his recorded transactions he traded chiefly in port wine, cotton and Brazil sugar.⁶ By 1601 he had acquired a nobiliary title: *cavaleiro-fidalgo da Casa de El-Rei Nosso Senhor* ("Knight-Nobleman of our Lord the King's Household") which, from 1606 on, was replaced by *cavaleiro-fidalgo da Casa da Infanta Dona Isabel* ("Knight-Nobleman of the Household of the Infanta, Dona Isabel").⁷

The earliest notarial record bearing Uriel's signature ("Guabriel Da Costa") is dated February 19 1597, when he would have been about fourteen years old.⁸

On October 19 1600 Uriel registered at the Faculty of Canon Law of the University of Coimbra for courses in Institutes. He presented a certificate attesting to his having successfully passed the Latin

5 On the run-down state of the houses in the rua de São Miguel, cf. Artur de Magalhães Basto, "Novo documento inédito sobre Uriel da Costa," *O Instituto*, 79, 1930, 442-454: 444-445.

6 Bento da Costa Brandão, in partnership with two colleagues, chartered on August 29 1607 the caravel "Nossa Senhora do Rosário" to pick up cargo at Pernambuco. On September 11 of that same year Bento guaranteed money and goods to be received in Brazil by his sons Miguel and João from one António da Fonseca. Cf. "Livro de Notas de João de Azevedo, 1607-1608," ff. 11-13, Eduardo Maia Mendes Collection. Cited by João Manuel de Almeida Saraiva de Carvalho ("The Fellowship of St. Diogo, New Christian Judaizers in Coimbra in the Early 17th Century," Ph.D. diss., University of Leeds, 1990, 197). João da Costa Brandão was still in Brazil in 1611. Cf. I. S. Révah, *Annuaire*, 70, 1970, 576.

7 Cf. A. de Magalhães Basto, "Alguns documentos inéditos sobre Uriel da Costa," *O Instituto*, 79, 1930, 1-20: 20; *id.*, "Nova contribuição documental para a biografia de Uriel da Costa," *O Instituto*, 81, 1931, 425-463: 435-436, 451, 453, 458. Magalhães Basto points out that the Infanta D. Isabel, daughter of king Philip III, and her husband the Cardinal-Infante Archduke Albert of Austria reigned over the Southern Netherlands (now Belgium) from 1598 until the Archduke's death in 1621, when the Southern Netherlands reverted to the Spanish crown. Isabel continued as Governor General until her death in 1633.

8 Cf. I. S. Révah, *Annuaire*, 68, 1968, 569.

examination required of students who did not graduate from the secondary school attached to the University.⁹ In his autobiography, Uriel tells us that he was educated by tutors at home. On February 19 1601, in the middle of the academic year, he dropped out, only returning to the University on November 7 1604, as a student of Canon Law. In the interim, Uriel was gainfully employed as secretary to the archbishopric of Coimbra. In 1985 the historian Gabriel Albiac chanced upon a two-page document in Uriel da Costa's own hand, dated October 8 1601, written and signed in that capacity.¹⁰

Between November 1 1604 and the end of February 1605 Uriel pursued his studies in Canon Law. Because he did not attend that year's full course, he needed special permission to re-register. One of those signing the permission certificate, dated May 7 1605, was Uriel's teacher António Homem (1564-1624). This brilliant canonist was to go down in history as "the unlucky professor," because his fame and success drove his colleagues to such envy that they did not rest until they brought about his imprisonment by the Inquisition on trumped-up charges, which led to his execution.¹¹ Further certificates show that Uriel

⁹ Cf. *id.*, art. cit., 570.

¹⁰ Cf. British Library, Egerton 2,084, f. 520. Aside from his signatures, this is the only specimen of Uriel's handwriting which has so far come to light. It is described in the *Catálogo dos manuscritos portugueses ou relativos a Portugal existentes no Museu Britânico* by the Conde de Tovar (Lisbon, 1932): *Carta original do cabido da Sé de Coimbra para el-Rei. Daº 8 de Outubro de 1601. Refere-se a actos de indisciplina cometidos em Roma por Álvaro Soares*. The presence on the document of Gabriel da Costa's signature is mentioned. Cf. Gabriel Albiac, *Uriel da Costa, Espejo de una vida*, Madrid, 1985, 87-94. Cf. *id.*, *La sinagoga vacía*, Madrid, 1987, 210-213. (See our reproduction and transcription of the document.)

¹¹ Homem was arrested by the Inquisition in 1619 on the charges of having created and led an "underground judaic cult" in honour of the Old Christian Friar Diogo de Assunção who was burnt alive, a martyr to "judaism," at a Lisbon *auto-da-fé* on August 3 1603. For good measure Homem was also accused of homosexual practices. Armed only with his juridical expertise, Homem heroically defended himself and steadfastly refused to save his life at the cost of his honour. He perished, garroted at the stake, a martyr to catholicism, at the Lisbon *auto-da-fé* of May 5 1624, coincidentally at just about the time when, 2600 kilometers to the north, his former student Uriel da Costa was being arrested for denying in print the immortality of the soul. António Homem's trial is (along with the later ones of Manuel Fernandes Vilareal and António José da Silva) one of the most infamous examples of judicial murder in the annals of the Portuguese Inquisition. Cf. António José Teixeira, *António Homem e a Inquisição*, Coimbra, 1895. The Ph.D. dissertation by João Manuel de Almeida Saraiva de Carvalho (*vide supra*, n. 6), based on hitherto untapped archival material at Coimbra as well as 111 trials of the Coimbra and 20 of the Lisbon Inquisitions, unfortunately ignores the social, economic and political background of the Coimbra "witch hunt," and assumes the truth not only of the charges,

attended courses from October 1605 until July 1606, from October 1606 until May 1607 and from October 1607 until June 1608.¹²

Bento da Costa Brandão, Uriel's father, died on May 20 1608 and was buried in the parish of Nossa Senhora da Vitória, at Oporto. Uriel abandoned his courses in Canon Law in June 1608 and returned home to Oporto. Shortly thereafter, his widowed mother found herself in financial difficulties. Money was owing to the family from a powerful nobleman, Dom Jorge de Mascarenhas, who was unable or unwilling to pay, even after being repeatedly ordered to do so by the courts. In desperation, she borrowed 319,000 reais from a certain Amador de Azevedo, not otherwise identified.

In a document of August 1609, Uriel is referred to as "treasurer of the collegiate church of S. Martinho de Cedofeita." This corroborates the statement in the *Exemplar humanae vitae*:

[...] when I was in my twenty-fifth year [...] I obtained an ecclesiastical benefice, viz. the dignity of treasurer in the Collegiate Church.

Like his maternal grandfather Dinis Eanes, Uriel took minor orders and received the tonsure, the first step in an ecclesiastical career. The position was extremely lucrative and prestigious, as Uriel tells us in his autobiography. An inventory taken in 1610 of his family's possessions (such inventories were mandatory under a royal decree of 1609), suggests that the da Costa's were comfortably off, though not wealthy.

In November 1611 Uriel's eldest brother Jâcome married his relative Violante da Costa and, that same month, Uriel gave up his ecclesiastical position. He was sent by his family to Lisbon to sue Dom Jorge de Mascarenhas. In February 1612, an agreement was reached between the da Costa family and the nobleman. The latter offered them the revenue of an estate near Oporto, called São Salvador de Vila Cova da Lixa, whose estimated annual value was about 880,000 reais. On February 21 1612, the da Costa family signed a promissory note at Oporto to reimburse Dom Jorge the difference between this

but of all Inquisitorial denunciations and confessional inculpations. An unprejudiced evaluation of the material dealt with by Saraiva de Carvalho is sorely needed.

¹² The documents concerning Uriel's academic career at Coimbra and his two signatures were discovered by Joaquim Mendes dos Remédios (cf. *Os judeus portugueses em Amsterdam*, Coimbra, 1911, 166-167). The documents were added to, explained and commented upon by Carolina Michaelis de Vasconcelos ("Uriel da Costa, Notas relativas à sua vida e às suas obras," *Revista da Universidade de Coimbra* [hereafter "Uriel da Costa"], 1922, 237-395: 244-252, 321-325).

amount and what he was owing them. Uriel brought back from Lisbon his fiancée, Francisca de Crasto, whom he married in his parish church on March 5 1612. On May 8 1612, Uriel's only sister, Maria da Costa, married her first cousin, Álvaro Gomes Bravo, in that same church. From June 1612 to June 1614, Uriel exercised the rights of revenue-collector which had been rented from Dom Jorge. Apparently the latter was paid the sum due to him. For farming the second year's revenues, 800,000 reals remained outstanding to Dom Jorge.

On March 20 1613, the family repaid their debt of 319,000 reals to Amador de Azevedo. In late February or early March 1614 Uriel da Costa, his mother, his wife, three of his brothers and one sister-in-law secretly embarked at Viana for Amsterdam. His sister Maria and her husband stayed behind at Oporto.¹³

A decree of March 13 1610 prohibited New Christians from leaving Portugal without royal authorization. It further stipulated that the property of anyone who left without such permission would be forfeit to the Crown, a premium being deducted therefrom to be paid out, where applicable, to the one who informed on the fugitives. The flight of the da Costa family was reported to the authorities by a certain Miguel Chamorro who claimed his premium in court. Dom Jorge, however, put in a counter-claim of preference, proving that 800,000 reals were owing to him by Uriel da Costa, who had mortgaged to him the real estate he owned at Oporto. The court found in Dom Jorge's favour and the title to the da Costa house in the rua de S. Miguel, with any contents, was transferred to him. In 1620 Dom Jorge sold the property for 300,000 reals.¹⁴

Uriel's sister Maria and her husband Álvaro Gomes Bravo were arrested by order of the District Governor of Oporto in 1621, being charged with aiding and abetting their family's illegal departure. The case was investigated by the Inquisition. Old Christian neighbours testified to the family's unimpeachable catholic orthodoxy; no denun-

¹³ All the preceding is a synopsis of I. S. Révah, *Annuaire*, 70, 1970, 575-577. For the circumstances and date of the family's departure from Portugal, cf. also Artur de Magalhães Basto, "Alguns documentos inéditos sobre Uriel da Costa," *O Instituto*, 79, 1930, 1-20: 4, 17-18.

¹⁴ Cf. A. de Magalhães Basto, *O Instituto*, 79, 1930, 1-4, 12-16. For the significance of this price, cf. the comparisons drawn up by Magalhães Basto of property sales in Oporto at this period (*O Instituto*, 79, 1930, 446-447). It is apparent from these figures that 300,000 reals was a very substantial sum for a house. Uriel da Costa's description in the *Exemplar* of his paternal home as "a handsome house situated in the best part of the city" is once more borne out.

ciation of any family member on the charge of “judaizing” was found on record for the period 1605-1614. The family’s departure from Portugal was attributed exclusively to economic motives and Maria da Costa and her husband were released.¹⁵

The da Costa family arrived at Amsterdam before the end of April 1615. In due course they all adopted judaism, assuming at the same time new first names, as was the custom.¹⁶ While his younger brothers Miguel (Mordecai) and João (Joseph) remained in Amsterdam, Uriel, his older brother Jácome (Abraham), accompanied by their wives and their mother, left the Dutch capital for Hamburg in Northern Germany, there to establish a commercial outpost.¹⁷

¹⁵ Cf. I. S. Révah, *Annuaire*, loc. cit.

¹⁶ There are no records documenting the presence at Amsterdam of any members of the da Costa family predating October 1617, but Leon Modena informs us that Uriel’s theses were sent to him from Hamburg in 5376 (i.e., between the autumns of 1615 and 1616) (cf. Carl Gebhardt, *Die Schriften des Uriel da Costa’s* [hereafter *Schriften*], Amsterdam-Heidelberg, 1922, 152-153). Hector Mendes Bravo’s list, presented to the Lisbon Inquisition in December 1617, of all the Portuguese persons (119 all told) he knew to have adopted judaism in Amsterdam by the time of his departure a few months earlier, does not include any member of the da Costa family. Cf. A. M. Vaz Dias, *Uriel Da Costa, Nieuwe Bijdrage tot diens Levensgeschiedenis (Mededelingen vanwege het Spinozahuis, 2)* [hereafter *Uriel Da Costa*], Leiden, 1936, 11-12. Jácome da Costa Brandão (born 1580) took on the name Abraham da Costa; Miguel da Costa Brandão (born 1585), also known as Miguel Esteves de Pina, the name Mordecai da Costa or Mordecai Israel da Costa; João da Costa (born c. 1592), also known as João Peres da Cunha, the name of Joseph da Costa or Joseph Israel da Costa. Cf. Isaac da Costa, *Israël en de Volken*, Utrecht, 1876, 474; A. de Magalhães Basto, “Nova contribuição documental para a biografia de Uriel da Costa,” *O Instituto*, 81, 1931, 425-463; 446; I. S. Révah, *Annuaire*, 68, 1968, 568; “Notarial Records,” *Studia Rosenthaliana*, 24, 1, 1990, 68-77: 72. Uriel’s brother Jerónimo da Costa (born c. 1593) supposedly arrived from Brazil at Amsterdam (more likely Hamburg, for there is no mention of him in any Amsterdam documents) in 1617, taking on the name Aaron da Costa. Cf. Isaac da Costa, *op. cit.*, loc. cit.; I. S. Révah, *Annuaire*, 67, 1967; 525. Unaware of Miguel da Costa’s pseudonym Miguel Esteves de Pina and the identity between Miguel Esteves de Pina and Mordecai da Costa, Révah apparently confused Miguel and Jerónimo, attributing to the former the name Aaron and to the latter the name Mordecai (*Annuaire*, 67, 1967, 519 and 523). Cf. *Annuaire*, 72, 1972, 661, where Révah seemingly confuses João and Jerónimo. Concerning the latter no further information has come to light. Uriel’s brother Miguel da Costa Brandão (or Mordecai [Israel] da Costa) married at Amsterdam a daughter of Abraham Milano (originally Diogo de Pina, from Oporto). Children born to them there between 1617 and 1624 died in infancy. Cf. D. Henriques de Castro, *Keur van Grafstenen*, Leiden, 1883, 22; *Livro de Bet Haim do Kahal Kados de Bet Yahacob* (publ. by Wilhelmina C. Pieterse), Assen, 1970, 102, 126. Uriel’s brother João (Joseph) da Costa married Ribca Aboab Osorio at Amsterdam in 1617 (cf. Jaap Meijer, *Isaac da Costa’s Weg naar het Christendom*, Amsterdam, 1946, 193; *Livro de Bet Haim*, 184).

¹⁷ A document dated Hamburg, 8 Nissan 5377 (April 13 1617) [hereafter “Aron Leoni Document”], concerns possible non-renewal of the contract permitting the

Three Portuguese jewish congregations, each with its own *hakam*, existed at Hamburg since around 1610: Talmud Tora, Keter Tora and Neve Salom.¹⁸ It is not known which of the three synagogues Uriel and his family joined. Uriel's integration into the community was far from painless. Very soon after his arrival at Hamburg he was moved to catalogue what appeared to him the most glaring discrepancies between the Torah and the so-called Oral Law.¹⁹ He sent this polemical broadside to the leaders of the "Ponentine" (i.e., Spanish-Portuguese) jewish congregation of Venice. The *parnassim* (= Lay Leaders) of that Venetian community appealed to the rabbi of the "German" community of Venice, the celebrated preacher and scholar Leon Modena, to act as defender of the faith and rebut Uriel's theses. Modena duly carried out his assignment.²⁰ At the same time he advised the lay leaders of the Hamburg congregations that, unless the

"Portuguese Nation" to reside and practise judaism there. The 39 signatories, all members of the Portuguese community, include Abraham Israel da Costa (Jácome), but, significantly, not Uriel. A copy of this document was found in the Archives of Reggio Emilia (Italy) by Dr. Aron Leoni of Milano, who intends to publish it, along with biographical profiles of the 39 signatories, in a forthcoming issue of the *Revue des Études Juives*. Abraham da Costa had a substantial account in the Bank of Hamburg in 1619. Cf. Hermann Kellenbenz, *Sephardim an den Unteren Elbe* (hereafter *Sephardim*), Wiesbaden, 1958, 125, 255. Cf. Alfonso Cassuto, "Neue Funde zur ältesten Geschichte der portugiesischen Juden in Hamburg," *Zeitschrift für die Geschichte der Juden in Deutschland* [hereafter "Neue Funde"], 2, 1, 1931, 58-72: 71-72. Uriel's mother, Branca da Costa (née Branca Dinis), who took on the name Sara da Costa, was living with her sons at Hamburg in 1622. Cf. "Notarial Records Relating to the Portuguese Jews in Amsterdam up to 1639" [hereafter "Notarial Records"], *Studia Rosenthaliana*, 24, 2, 1990, 221.

18 Cf. Alfonso Cassuto, *Gedenkschrift*, Amsterdam, 1927, 7.

19 According to orthodox jewish dogma, the Babylonian Talmud is the written version (c. 500) of a Tradition which goes back to a divine revelation, supposedly vouchsafed to Moses on Mount Sinai, simultaneously with the written Torah or Pentateuch and Scriptures, i.e., the whole Bible. Cf. B.T. Berakot 5a: "What is the meaning of the verse: 'And I will give thee the tablets of stone and the Law and the commandment which I have written that thou mayest teach them' [Ex. 24, 12]? 'Tables of stone': these are the Ten Commandments; 'the Law': this is the Pentateuch; 'the commandment': this is the Mishna; 'which I have written': these are the Prophets and the Hagiographa; 'that thou mayest teach them': this is the Gemara. It teaches us that all these things were given to Moses on Sinai."

20 We do not know in what language the refutation was originally composed. If composed in Hebrew, there would have been no difficulty having it translated into Portuguese. Other documents originating in Venice translated from Hebrew into Portuguese were sent to Amsterdam in 1618. Cf. H. P. Salomon, "La vraie excommunication de Spinoza," *Forum Litterarum, Miscelânea de estudos literários, linguísticos e históricos oferecida a J.J. van den Besselaar* (ed. by H. Bots and M. Kerkhof) (hereafter "La vraie excommunication"), Amsterdam-Maarssen, 1984, 181-199.

heretic recant, he would find himself under the ban.²¹ Uriel refused to yield. After receiving an urgent appeal from the lay leaders of the Hamburg communities, Modena, true to his threat, directed the Hamburg *parnassim* to excommunicate Uriel in person. In addition, between August 14, 1618 and the end of that year, he staged a ceremony in the Ponentine synagogue of Venice, excommunicating Uriel *in absentia*.²²

How accurate an idea can we attain of the contents of the theses which Uriel sent to Venice in 1616? His arch-opponent, Dr. Samuel da Silva (about whom more further on) writes in the prologue of his 1623 treatise:

[. . .] he did not hesitate to draw up and distribute a declaration in which he denied the Tradition and the Oral Law given by God to Mose on Mount Sinai — the true explanations of the Written Law — saying that they are deceptions and frauds and that the Law has no need of such explanations and that he and others like him can give better ones. He asserted that the *dinim* by which Yisra'el was and is governed were all invented by ambitious and malicious men. He condemned the approved, traditional method of circumcision, made light of the manner of making and using *tefillin* and *mezuzah*. He proclaimed it a great iniquity to celebrate a festival for two consecutive days, where the law only commanded one day of celebration. He did not accept the legitimate reason given for this by the prophets and the holy men who lived at the time of the First and Second Temples [. . .]

21 Cf. Gebhardt, *Schriften*, 150152.

22 H. P. Salomon ("La vraie excommunication") shows that the lugubrious ceremony, described in great detail by Modena himself in his "Relatione de tutti riti, costumi e vita degl'Hebrei" (1637) (Cod. Archivio di Stato di Venezia, Santo Ufficio, b. 94), took place in the Spanish-Portuguese synagogue of Venice, and that the text of da Costa's excommunication was again used 38 years later at Amsterdam by *hakam* Saul Levi Mortera and his colleagues to ban Spinoza. It is quite likely that Mortera, who happened to be on an official mission to Venice during the latter part of 1618, actually witnessed the ceremony. According to Cassuto ("Contribuição para a história dos judeus portugueses em Hamburgo," *Biblos*, 1933, 657-670: 662), a book entitled *Tratado do herem* (Amsterdam? n.d.), which we have been unable to locate, concerns Uriel da Costa's excommunication. Kayserling (*Biblioteca Española-Portuguesa-Judaica*, Strasbourg, 1890, 36; cf. Johann Moller, *Cimbria Literata*, 2, Copenhagen, 1744, s.v. "Rodericus a CASTRO," 135-137: 137) attributes the *Tratado do herem* (or *Tratado de halissa*?) to Rodrigo de Castro (alias David Nahmias: Lisbon 1550 - Hamburg 1629), who was excommunicated in 1614, despite Leon Modena's reservations, for refusing to give his sister-in-law *halisa* (cf. Dt. 25, 9). Rodrigo denounced the Jewish communal authorities to the Hamburg Senate for usurping its authority, whereupon (in 1618) Modena supported the *herem*. Cf. Jacob Heilprun (*Nahalat Ya'aqob*, Padua, 1623, 11-12), cited by Howard Ernest Adelman, "Success and Failure in the 17th-century Ghetto of Venice: The Life and Thought of Leon Modena, 1571-1648," Brandeis University Ph.D. diss., 1985, 528-536.

In 1856 Abraham Geiger published for the first time a treatise by Leon Modena entitled *magen ve-sina* (= "Shield and Buckler": cf. Ps. 35, 2; Ezek. 39, 9; Jer. 46, 3), detailing objections to Tradition by "a certain heretic from Hamburg" as well as Modena's own answers.²³ We are in a position to demonstrate that the Hamburg heretic of *magen ve-sina* was Uriel da Costa, and that Modena's treatise contains Uriel's original objections, a number of the latter being encased by the formulae "the following are his words" and "up to here are his words." Previous attempts at identifying the Hamburg heretic with Uriel da Costa have met with scepticism in some quarters. Geiger himself thought the heretic of *magen ve-sina* to be a rhetorical foil made up by Modena. Bereft of any authenticated sample of da Costa's writings on rabbinic tradition, it was possible for Geiger to consider the *magen ve-sina* a dialogue in the Renaissance *colloquium* tradition (cf. Erasmus, Castiglione, etc.). Even phrases such as "up to here his words" were no doubt explained away by Geiger as part of Modena's technique of persuasion. As recently as 1983, Jean-Pierre Osier rejected the identity of the Hamburg heretic with Uriel da Costa. Unlike Geiger, Osier

23 Abraham Geiger, *Leon da Modena, Rabbiner zu Venedig (1571-1648), Seine Stellung zur Kabbalah, zum Thalmud und zum Christenthume*, Breslau, 1856. Geiger provided only the Hebrew text of *magen ve-sina* from Ms. Bodleian 2786. An abridged Portuguese version of the heretic's objections is extant in the hand of *hakam* Mose Refael de Aguilar (d. 1679). This, however, is not a transcription of Uriel da Costa's original text (as some scholars once believed), but part of de Aguilar's Portuguese translation (Ms. Ets Haim/ Montezinos 48A11 [Fuks nos. 176 and 423], dated 1639) of Modena's *magen ve-sina*. It is not known from what manuscript Aguilar made his translation. Geiger's text was translated into French by Jean-Pierre Osier. Cf. Léon de Modène, *Le Bouclier et la Targe* (traduction et présentation par J.-P. Osier), Paris, 1980; reprinted in J.-P. Osier, *D'Uriel da Costa à Spinoza*, Paris, 1983, 219-296. A Venetian rabbi, Isaac Pacifico (d. 1746) made a Hebrew translation entitled *'iggeret tesubat ha-minim* (Jewish Theological Seminary of America, Ms. 2260) from what he called a *la'az* version. If *la'az* is to be interpreted in this case as Italian, a version in that language must at one time have existed. On *magen ve-sina*, see further Ludwig Blau, "Leos Stellung zum Talmud" in *Kitbe Ha-rab Yehuda Arye Mi-Modena*, Budapest, 1905, 85-96; Nathan Porges, "Leon Modena über Uriel da Costa," *Zeitschrift für Hebräische Bibliographie*, 1911, 15, 80-82; *id.*, "Zur Lebensgeschichte Uriel da Costas," *Monatschrift für Geschichte und Wissenschaft des Judenthums*, 62, 1918, 37-48: 45-48; 108-124: 108-115; C. Gebhardt, *Schriften*, 1922, 3-32, 150-157; Carolina Michaelis de Vasconcelos, "Uriel da Costa, Notas suplementares relativas à sua vida e sua obra," *Lusitânia: Revista de estudos portugueses*, 1, 1, 1924, 5-22: 12-15; Nathan Porges, "Gebhardt's Book on Uriel da Costa," *Jewish Quarterly Review*, 19, 1, 1928, 37-74: 44-45; Isaiah Sonne, "Da Costa Studies," *Jewish Quarterly Review*, 22, 1931-32, 247-293: 287-293; H. P. Salomon, "A Copy of Uriel da Costa's 'Exame das tradições phariseas' located in the Royal Library of Copenhagen" [hereafter "A Copy"], *Studia Rosenthaliana*, 24, 2, 1990, 153-168: 160.

conceded, rightly, as it turns out, that the heretic must be a real, not a fictional character, but, mistakenly believing that Uriel da Costa never lived in Hamburg, Osier concluded that he did not fit the bill.²⁴ In the absence of any da Costa writings on Tradition, Osier, like Geiger, failed to recognize the voice of Uriel in *magen ve-sina*. The issue may now be settled by a careful comparison of Uriel's exhumed *Exame*, with its detailed exposition of his views on Tradition, and the citations of Modena's "heretic" in *magen ve-sina*. By the same token we now know that the latter text contains in substance — if not in detail — Uriel da Costa's thought as expressed in 1616. Moreover, as will be seen, in his *Exame* da Costa refers more than once to specific responses made by an unnamed interlocutor whom we shall discover to be none other than Leon Modena.

Returning to the vicissitudes of Uriel da Costa's life, it is apparent from documentation at our disposal that subsequent to, and in spite of, his excommunication at Hamburg in 1618 he did not leave the city earlier than the spring of 1623.²⁵ In addition to his intensive

24 Cf. J.-P. Osier, *D'Uriel da Costa à Spinoza*, Paris, 1983, 138, 190, 251.

25 Cf. A. M. Vaz Dias, *Uriel Da Costa*, 1936, 14-17. A document dated February 21 1623 (cf. "Notarial Records," *Studia Rosenthaliana*, 23, 2, 1989, 203, doc. 2819) refers to a power of attorney granted by Uriel da Costa before a notary in Hamburg to his brother Miguel (Mordecai) of Amsterdam, no doubt in connection with his imminent departure. Cf. "Notarial Records," *ibid.*, 24, 1, 1990, 72, Document 2871 (dated May 15 1623) and commentary; *ibid.* 24, 1, 1990, 73, Document 2876 (also dated May 15 1623). This was the very day when the elders of the Jewish community, meeting to discuss Uriel's arrival at Amsterdam and his heretical opinions, took the decision to confirm his excommunication (*vide infra*, n. 32). Documents 2871 and 2876 refer to transferral by Miguel to a representative in Rotterdam of the merchandise originally consigned to Uriel da Costa in Hamburg. Document 2905, dated June 10 1623 (cf. *ibid.*, 24, 2, 1990, 216-217), refers to Miguel's authorizing a representative in Middelburg to claim sums owing to Uriel da Costa of Hamburg. Cf. *ibid.*, 24, 2, 1990, 221, Document 2926 (dated June 28, 1623): at the beginning of February 1623, Uriel's brother João (Joseph) and his wife were planning to visit their mother and brothers in Hamburg during the coming summer. Document 2935, dated July 6 1623 (cf. *ibid.*, 24, 2, 1990, 223) refers *inter alia* to Miguel's authorizing a representative in La Rochelle to claim 30 cases of sugar shipped from Viana do Castelo to Uriel da Costa of Hamburg. In these documents Uriel da Costa is designated only by his alias "Adam Romes (or Romez)." On May 31 1624, upon his release from custody, the "Book of Justice" of the Amsterdam Municipal Authorities enters him as "Uriel da Costa, alias Adam Romez." On March 7 1627, Uriel da Costa declared under oath at the City Hall of Utrecht that while he was a resident of Hamburg "he traded with Portugal under the name Adam Romez in order to avoid confiscation of his merchandise there." Cf. A. M. Vaz Dias, *Uriel Da Costa*, 1936, 15, 17. Perhaps Uriel had in mind the money he still owed Dom Jorge de Mascarenhas upon his emigration (cf. *supra*). The surname "Romes" was not only borne by Uriel da Costa. Diogo de Lima in his Inquisitorial

commercial activities²⁶, he was busy writing a book which grew out of the broadside he had sent to Venice in 1616. He was planning to publish this book, when a physician who was a prominent warden of the Portuguese-jewish colony of Hamburg, Dr. Samuel da Silva, pre-empted him.

Samuel (or Semuel) da Silva (1570/1571-1631) may have been, like Uriel, a native of Oporto and a graduate of the University of Coimbra.²⁷ He had left Portugal some years earlier than Uriel and resided continuously at Hamburg from, at the latest, 1616.²⁸ Already

deposition of 1644 listing Portuguese jews he had known at Hamburg in the late 1620's, mentions a Miguel Romes from Oporto who adopted the "jewish" name Isaac Romes. The latter's sister is identified as the wife of Francisco Bravo (the Bravo family was related to Uriel's mother) and his wife as the sister of Duarte Esteves de Pina "whose jewish name is Isaac Milano." (Cf. Pedro de Azevedo, "O Bocarro Francês e os judeus de Cochim e Hamburgo," *Arquivo Histórico Português*, 8, 1910, 185-198: 194-195.) It will be recalled that Uriel's brother Miguel (Mordecai), also known as Miguel Esteves de Pina, was married to a daughter of Diogo de Pina from Oporto whose jewish name was Abraham Milano. Miguel Romes is mentioned as being worth 22,000 marks in October 1638 (cf. Hamburg Archives, "Zollbuch 1627/1650"). (I am beholden for this last reference to the late Alfonso Cassuto of Hamburg and Lisbon.)

26 From the above-cited notarial records it appears that Uriel traded mainly in sugar between Brazil, Portugal (Viana do Castelo and Oporto), Amsterdam and Hamburg.

27 The dates of Samuel da Silva's birth and death (January 2 1631, aged 60) are known from his epitaph in the Altona cemetery of the Hamburg Portuguese jewish community. Cf. J. S. da Silva Rosa, "Uriël da Costa en Dr. Samuel da Silva (1571-1631)," *De Vrijdagavond*, 4, 31, October 28 1927, 487-488 (da Silva Rosa's article includes the Hebrew epitaph and a Dutch translation of same). The unconfirmed suggestion that he was born at Oporto was put forward by C. Gebhardt (*Schriften*, 1922, 256). Dr. da Silva's and his wife Rebecca's daughter, Sara, born in 1612, married Dr. Benjamin Mussafia (1606-1675) at Hamburg in 1628 and died there of the smallpox in 1634. She gave birth to three sons all of whom died in infancy. Cf. the introduction to Mussafia's philological essay, dedicated to his wife's memory, entitled *zeker rab*, which he had printed at Amsterdam by Menasse Ben Israel in 1635. Cf. S. Seeligmann, *Bibliographie en Historie*, 1927, 48. Mussafia, celebrated physician, physicist and Hebrew philologist, later moved to Amsterdam, where he played an active role in the Portuguese jewish community, leaving 10,000 guilders to its Ets Haim Seminary. For his Brazil-trade at Hamburg, cf. H. Kellenbenz, *Sephardim*, 331-338; for his legacy, cf. Wilhelmina C. Pieterse, *Daniel Levi de Barrios als Geschiedschrijver van de Portugees-Israëlietische Gemeente te Amsterdam in zijn 'Triumpho del Gobierno Popular'* (hereafter *Barrios*), Amsterdam, 1968, 88, 107.

28 Dr. Semuel da Silva is described as a resident of Hamburg on an Amsterdam document of May 20 1616 which he signed by proxy. Cf. Sigmund Seeligmann, *Bibliographie en Historie, Bijdrage tot de Geschiedenis der Eerste Sephardim in Amsterdam* [hereafter *Bibliographie en Historie*], Amsterdam, 1927, 47-48; in April 1617, his also appears as one of 39 signatures on the "Aron Leoni Document" (*vide supra*, n. 17).

in 1613 he had published a literal Spanish translation of Maimonides' "Treatise on Repentance," providing spiritual guidance for returnees to the fold.²⁹

In 1623 Dr. da Silva published in Amsterdam, at the press of Paulus Aertsen van Ravesteyn,³⁰ a book in Portuguese entitled *Tratado da Imortalidade da Alma* ("Treatise Concerning the Immortality of the Soul").³¹ It is an intemperate refutation of da Costa's denial of the soul's immortality. The book contains three consecutive chapters — numbered 23-24-25 — of the then still unpublished treatise on which Uriel da Costa had been working at Hamburg. These three chapters are a scripturally and rationally based attack on the doctrine of the soul's immortality. Da Silva divided Uriel's chapters into consecutive fragments of manageable length, interspersing them in 21 of his own chapters: da Costa's pieces in small italics, followed by his own refutation. Dr. da Silva tells us at the outset of his eighth chapter that he

²⁹ Cf. S. Seeligmann, *op. cit.*, 46-47. No actual copy of this work was known to S. Seeligmann or to J. S. da Silva Rosa in 1927. Two copies were recently discovered in the Biblioteca Nacional of Madrid by Dr. Harm den Boer. One copy has a printed title-page, dated "Francafort, Ano 3573 [sic]"; the other title-page, manuscript, is dated "Amsterdam, Ano 5373." They are described by A. K. Offenbergh, "Exame das tradições," in *Êxodo, Portugezen in Amsterdam, 1600-1680* (edited by Renée Kistemaker and Tirtsah Levie) [hereafter "Exame"], 1987, 59 and more rigorously by den Boer in his *Bibliografía de las ediciones literarias en lengua española y portuguesa de los sefardíes de Amsterdam, c. 1600-1809* (Appendix II of his *La literatura hispano-portuguesa*, University of Amsterdam diss., 1992). Whether in 1613 Dr. da Silva possessed the wherewithal to carry out the translation unaided is, of course, a moot point. The title-pages, in any case, are written in a strange mixture of Spanish and Portuguese.

³⁰ Harm den Boer has shown ("Was Uriel da Costa's *Examen* seized by the Spanish Inquisition?" *Studia Rosenthaliana*, 23, 1, 1989, 3-7: 4-5) that a Sephardic prayer-book in Spanish was printed at Amsterdam by Paul van Ravesteyn in February 1622, displaying that city's name on its title-page, the first Jewish book printed there to do so. The second and third were da Silva's treatise on immortality and da Costa's reply. Cf. *id.*, *La literatura hispanoportuguesa de los sefardíes de Amsterdam en su contexto histórico-social (siglos XVII y XVIII)* (doctoral diss. University of Amsterdam 1992) (hereafter *La literatura hispano-portuguesa*), 379-384. Cf. also Adri K. Offenbergh, "Exame," 1987, 56-63. In 1637, at Leyden, Paulus Aertsz van Ravensteyn [sic] printed the first edition of the celebrated *Statenbijbel* (States Bible).

³¹ Of Dr. da Silva's book nine surviving copies are known today: 1) Bibliotheca Rosenthaliana (University Library of Amsterdam) 2) Bibiotheca Ets Haim / Livraria Montezinos (Portuguese Jewish community of Amsterdam) 3) British Library 4) Hamburg State and University Library 5) Bibliotheca Palatina (Parma) 6) Jewish Theological Seminary of America (New York) 7) Bibliotheca Vaticana (Rome) 8) Royal Library (Copenhagen) 9) Biblioteca Nacional (Madrid). The entire book was "reprinted" at Lisbon in 1982 by Jesué Pinharanda Gomes, whose aberrant "modern" spelling, idiosyncratic punctuation and many errors in transcription often render the text meaningless.

managed to obtain a “quire” (Portuguese: *caderno*) containing chapters 23 through 25 of da Costa’s work:

We got wind of a book that the adversary — the one who forces us to write — was trying to have printed. We were very eager to see it and actually managed to obtain a single quire which we can faithfully attest to be in his own hand (*que testemunhamos fielmente ser escrito de sua própria mão.*)

In the three chapters of his work which da Silva reproduces, da Costa argues that the doctrine of the soul’s immortality is foreign to the Law of Moses and that this doctrine was introduced into judaism by the Pharisees. Da Silva — who naturally disputes both claims — faults da Costa for his lack of any serious grounding in either Scripture or the Oral Law, or even familiarity with the Hebrew and Aramaic languages.

It is not known whether da Silva travelled from Hamburg to Amsterdam for the publication of his book in 1623. About da Costa’s presence in Amsterdam in early May of 1623 there can be no doubt. In the minutes of the Amsterdam Portuguese community it is recorded that on May 15 1623 the delegates of the three jewish congregations convened to discuss certain scandalous events. One of them was the recent arrival at Amsterdam of Uriel da Costa, under the alias Uriel Abadat, professing the very heresies which had earned him excommunication at Venice and Hamburg. The minutes of the May 15 meeting, using language — emphasised in the excerpt that follows — reminiscent of Portuguese Inquisitorial trial-records, further report that:

[...] the *hakamim*, in the presence of delegates from the three Boards of Elders, held meetings with Uriel in the course of which *mild and gentle persuasion was applied to bring him back to the truth*. Seeing that *through pure obduracy and arrogance he persists in his wickedness and wrong opinions*, the delegates from the three boards of elders, together with the boards of wardens and the consent of the *hakamim* ordained he be excluded as a person already excommunicated and accursed of God, and that [...] no communication with him is henceforth permitted to anyone except his brothers, who are granted eight days to wind up their affairs with him.³²

32 Municipal Archives of Amsterdam, Portuguese Archive, 13, ff. 25-26. This document was transcribed and published by Joaquim Mendes dos Remédios (*Os judeus portugueses em Amsterdam*, Coimbra, 1911, 160-161); more correctly, along with a German translation, by C. Gebhardt (*Schriften*, 1922, 181-183); analysed by A. M. Vaz Dias, *Uriel Da Costa*, 1936, 14. The alias Uriel Abadat which, according to the document, da Costa

Excommunication did not deter Uriel da Costa from going ahead with his "Examination of Pharisaic Traditions Compared with the Written Law." He had it printed during the spring of 1624 at the press of Paul van Ravesteyn, the same that had printed da Silva's book the previous year. Da Costa's book had meanwhile taken on a bipartite form. The first part, consisting of 14 brief separately numbered chapters, was a revised version of Uriel's objections to the Oral Law which he had sent eight years earlier to Venice. A close comparison between these two stages of da Costa's thought reveals changes of both sequence and content, as will be pointed out in part 2 of this Introduction.³³

The second and longest part of Uriel's book is a counter-reply to Dr. da Silva's refutation of his (Uriel's) three chapters on the immortality of the soul, which, as we have seen, had already been published by Dr. da Silva. Those three chapters — numbered 23, 24 and 25 in Uriel's book as originally conceived — are now printed as chapters 1, 2 and 3 of the second part of Uriel's definitive book. They occupy pages 56 through 97, thus making up almost one-fifth of the 214-page volume. It should be noted that while the text is essentially the same in both da Silva and da Costa's books there are many minor and a couple of major variants between the two publications, aside from a distinct orthography. (These discrepancies and the problems to which they gave rise in editing and translating the two books will also be treated

had adopted upon his arrival in Amsterdam has never been satisfactorily explained nor does it occur in any other extant document. The *hakamim* who counseled da Costa in 1623 are not named in the document. *Hakam* Saul Levi Mortera (1596-1660) of the *Bet Ya'aqob* congregation, the only spiritual leader in Amsterdam officially holding that title in 1623, must have been one of their number. David Pardo (?-1657), leader of the *Bet Yisra'el* congregation, was at that time no more than *hazan* (precentor) and Samuel Cohen (?-1625), leader of the *Neve Salom* congregation, had not as yet been promoted beyond the title of *rubi* (= junior rabbi). In 1623, neither Menasseh Ben Israel (1604-1657) nor Isaac Aboab da Fonseca (1605-1693), both in the employ of the *Neve Salom* congregation, held the title of *hakam*. Cf. Joseph d'Ancona, "De Portugese Gemeenten te Amsterdam tot de Vereniging (1639)," in H. Brugmans and A. Frank, *Geschiedenis der joden in Nederland*, Amsterdam, 1940, 201-269: 254-256.

33 Cf. H. P. Salomon, "A Copy of Uriel da Costa's 'Exame das Tradições phariseas' located in the Royal Library of Copenhagen," *Studia Rosenthaliana*, 24, 2, 1990, 153-165: 158-159; *id.*, "Uriel da Costa e as filactérias," *Revista da Faculdade de Letras da Universidade de Lisboa (Homenagem a José Vitorino de Pina Martins)* (in press). That Uriel's book came from the press during the spring of 1624 may be deduced as follows: he states at the end of Chapter 19 that "this year 5384 the new moon appeared on March 19[. . .] and the month began to be counted on the 21st." Since he was arrested because of his book on May 21 or 23, it must have been printed between March 21st and May 21st 1624.

further on in this Introduction.) Chapters 4 through 20 of the second part of Uriel's book are the counter-reply proper to Dr. da Silva's refutation of the first three chapters. Only Uriel's final, unnumbered chapter deals with a question not addressed by Dr. da Silva: the perpetuity of the world.

Events took a dramatic turn as soon as the book came off the press. As the *Exemplar* narrates:

No sooner had [my book] appeared in print than the senators and rulers of the jews agreed to lay an information against me before the public magistrate, setting forth that I had published a book to disprove the immortality of the soul, and that with a view to subvert not only the jewish, but also the christian religion. Upon this information I was apprehended and sent to prison, whence, after a confinement of eight or ten days, I was discharged upon giving security. For I was fined by the magistrate in the penalty of three hundred florins, beside the forfeiture of my books lately published.

On May 31 1624, his brothers Miguel (Mordecai) and João (Joseph) bailed him out on a security of 1200 guilders.³⁴ The entire run of the book was condemned to public burning, but, as we now know, at least two copies escaped the flames.³⁵ It is not completely clear who took

³⁴ In the *Exemplar Humanae Vitae*, da Costa claimed to have been fined 300 guilders and to have suffered the confiscation of his book. A. M. Vaz Dias (*Uriel Da Costa*, 1936, 17-19) compared Uriel's account with a document dated May 31 1624 from the Amsterdam Municipal Archives (AJ 5061, 572, f. 107, also reproduced by Gebhardt, *Schriften*, 184, along with a German translation). This document tells of Uriel's release from prison and of the bail paid by his brothers, but it does not mention the fine or the confiscation. The "Books of Sentences" for the period November 28 1624 - February 5 1627 are missing. Vaz Dias doubts, however, whether these contained an entry pertaining to the fine and the confiscation of Uriel's book, because such a sentence would have been imposed hard upon Uriel's release and certainly not more than six months later.

³⁵ A copy came into the hands of the Spanish Grand Inquisitor and was accurately described in the "Index of Prohibited Books" which appeared at Madrid in 1632. Cf. I. S. Révah, *Annuaire de l'École Pratique des Hautes Études*, 1964, 267-268; cf. H. den Boer, *Studia Rosenthaliana*, 23, 1, 1989, 3-7. A copy was auctioned at The Hague in 1728 (from the library of *hakam* David Nunes Torres), in one lot with Dr. da Silva's Treatise, and described in the printed auction catalogue. Cf. S. Seeligmann, *Bibliographie en Historie*, 1927, 54-55. The copy located in 1990 at the Danish Royal Library may be the one sold at The Hague in 1728. It could have been acquired there by the famous Danish bibliophile Otto Thott (1703-1785), a part of whose immense collection ended up at the Royal Library. We have so far not found a listing for either Uriel's or Dr. da Silva's book in the published 11-volume auction catalogue of the Thott Collection (Copenhagen, 1786-1792).

the initiative for lighting the pyre: the Amsterdam municipal authorities or — more probably — the Portuguese-jewish ones.³⁶ Between 1624 and 1628 the latter wrote to Rabbi Jacob Ha-Levi of Venice that “the heads of the community together with the government authorities confiscated all the copies of his book and burnt them in public.” They deplore the fact that due to the absence of an Inquisition in the Netherlands they were unable to have Uriel condemned to death, but they report with satisfaction that they did succeed in effecting his banishment from Amsterdam. They furthermore state that whereas Uriel’s two brothers in Amsterdam broke off all relations with him, his elderly mother accompanied him into exile and, by sharing his roof, chose to share his excommunication. R. Ha-Levi’s correspondents bring to his attention that:

[...] she shares the meat of animals slaughtered by her son and conforms to his heretical calendar-calculations, thus eating on the actual Day of Atonement and fasting on a spurious Day of Atonement invented by her son; eating leaven on the actual Passover and unleavened bread on his spurious Passover; working on the real festivals and abstaining from work on his spurious festivals [...]

Their question to Rabbi Ha-Levi, which was the object of their letter to him, was how to proceed were Uriel’s mother to die, as seemed likely, in a state of excommunication. Should she be denied burial altogether and “left lying on the face of the earth” or, out of consideration for the honour of her pious sons, nevertheless be granted burial among Israelites? In his reply the rabbi left open the latter possibility.³⁷

On March 7 1627 Uriel declared on oath at the City Hall of Utrecht, *inter alia*, that he was a permanent resident of that city.³⁸ On October

36 There is a later instance of a book-burning carried out in the Amsterdam community during Mortera’s term of office, namely *Chanças del Ingenio* by Manuel de Pina, consigned to the flames in 1656, not only at Amsterdam but also at Hamburg. Cf. Saul Levi Mortera, *Tratado da verdade da lei de Moisés*, Coimbra, 1988, Introduction, 101-102.

37 Cf. *se’elot ut^esubot r. ya^eaqob lebet halevi*, Venice, 1632, number 49. Cf. Joseph Perles, “Eine neuerschlossene Quelle über Uriel da Costa,” *Monatschrift für die Geschichte des Judenthums*, 26, 1877, 193-213. Perles provides the Hebrew text and a thumb-nail biography of Jacob Ha-Levi who was born in Patras (Greece). Gebhardt (*Schriften*, 1922, 185-187) reproduces and translates into German only part of the text; Carolina Michaelis de Vasconcelos (“Uriel da Costa,” 325-328) supplies a complete Portuguese translation by José Benoliel.

38 Utrecht had no Jewish community until the late 18th century. Cf. A. M. Vaz Dias, *Uriel da Costa*, 1936, 15, 19; Jacob Zwarts, “Joodse Archiefsprokkels: Uriel da Costa in Utrechtse ballingschap (1627),” *De Vrijdagavond*, 8, April 24, 1931, 61-64.

4 1628 Sara da Costa was buried in the tenth grave of the tenth row at the Portuguese jewish cemetery of Ouderkerk, near Amsterdam.³⁹ It may be surmised that, after four years of living in Utrecht, Uriel returned to Amsterdam for his mother's funeral, which provided an opportunity, perhaps at his brothers' behest, to bring about a reconciliation with the Portuguese jewish community. Since he had never been officially excommunicated at Amsterdam, the document of May 15 1623 merely confirming the Hamburg and Venice excommunications, no formal readmission ceremony would have been necessary, but only an oral retraction of his "errors" before the *bet din* (tribunal of three *hakamim*). In 1629 he was a dues-paying member of the *Honen Dalim* (confraternity for the extending of interest-free loans).⁴⁰ By 1631 he held an account in the Amsterdam "Wisselbank" under the name "Adam Romez," so presumably he was still engaged in trade with Portugal.⁴¹ In 1632 or 1633, if the *Exemplar* is to be believed, the Amsterdam authorities re-endorsed the Hamburg and Venice bans. At some point after his return to Amsterdam, Uriel's wife, Francisca de Crasto, died.⁴²

By a deed dated June 6 1639, Uriel da Costa, residing at Amsterdam in the Vloomburgsteeg, an alley, now called Houtkopersdwarsstraat, in the immediate vicinity of the Portuguese synagogue which had been rebuilt and consecrated that same year, transferred all his worldly belongings to his "maid", and presumably common-law wife, Digna da

39 Cf. *Livro de Bet Haim do Kahal Kados de Bet Yahacob* (ed. by Wilhelmina C. Pieterse), Assen, 1970, 140: *Sara da Costa, may de Abraham e Josep da Costa em 4 de Outubro*. Significantly, Uriel is not mentioned among her sons.

40 Cf. Isaac da Costa, *Israël en de Volken*, Utrecht, 1876, 473-474; Gebhardt (*Schriften*, 1922, 157, 273) mistakenly dates Uriel's membership to "before 1623," a manifest impossibility. Cf. A. M. Vaz Dias, *Uriel Da Costa*, 1936, 20. Jacob (Jaap) Meijer (*Encyclopaedia Sefardica Neerlandica*, Amsterdam, 1949, s.v. "Da Costa, Uriel," 161-174: 164, 168) identified the confraternity as *Honen Dalim*, while erroneously crediting Isaac da Costa with this identification. On the origin and purpose of the *Honen Dalim* confraternity, cf. Wilhelmina C. Pieterse, *Barrios*, 106.

41 Cf. A. M. Vaz Dias, *Uriel Da Costa*, 1936, 19-20.

42 She presumably shared Uriel's exile at Utrecht. No information about her life is presently available. Ms. Odette Vlessing, Keeper of the Portuguese Archive at the Municipal Archives of Amsterdam, suggests that an undated tombstone at Ouderkerk marked simply "[S]epultura de Rachel da Costa" may be that of Uriel's wife. According to David Henriques de Castro's manuscript register (334, 1329, carton 26, no. 46), the grave is located between that of a person who died on October 14 1630 and that of a person who died on November 8 1630.

Costa.⁴³ The document bears the signature “Adam Romes” in Uriel’s hand as well as the signatures of two witnesses, one a neighbourhood tobacconist, Daniel Cuyper, a christian, and the other a manufacturer of “talking statues with moveable heads, necks and eyes” for fairs and circuses, Jan Ellegoot, also known as Jacob Ellegoot Osorio, apparently the son of a Dutch father and a Portuguese mother.⁴⁴

On April 3 1639 the three worship communities of Amsterdam *Bet Ya‘aqob*, *Neve Salom* and *Bet Israel* fused to form the united congregation *Talmud Tora* under the spiritual leadership of the *hakamim* Saul Levi Mortera, David Pardo, Menasseh ben Israel and Isaac Aboab. On the jewish New Year of 1639 the rebuilt and refurbished synagogue of the former Bet Israel community on the Houtgracht was inaugurated as the sole synagogue.⁴⁵

Later that year a macabre ceremony took place in the new synagogue. The event is explained and described as follows in the “Book of Sentences of the Nation from the Time of the Union of the Three Holy Congregations in 1639 until 1680”:

Wording of the sentence that was read from the *teva* concerning Abraham Mendes (“the Marriage Fiend”)

On 16 Hesvan 5400 [November 13 1639], the Gentlemen of the *Mahamad* being present, there appeared before them Abraham Mendes, who has until now been separated from the Nation, under a ban of excommunication. He begged from the bottom of his heart, showing signs of contrition, to be readmitted into the jewish fold, protesting that he was ready to carry out any penance. Consequently the Gentlemen of the *Mahamad*, on the advice of the Reverend *hakamim*, decided to accede to his request, on the following conditions:

He promises not to take another wife at Amsterdam as long as Sara Mendes, to whom he was married, is alive; if perchance he takes a wife

⁴³ Ms. Vlessing has found a document dated 1641 in which Dina Jacobs [*sic*] is referred to as “the widow of Adam Romes.”

⁴⁴ Cf. A. M. Vaz Dias, *Uriel Da Costa*, 1936, 20-22, 30-31; J. Meijer (*Encyclopaedia Sefardica Neerlandica*, 1949, 164) perceives this group as a “fringe society” (*rand-milieu*). It is hard to accept Vaz Dias’ theory that the presence on the document of a jew’s signature is absolute proof that Uriel, at the time of drawing up the document, was no longer under the ban of excommunication.

⁴⁵ Cf. Joseph d’Ancona, “Komst der Marranen in Noord-Nederland, de Portugese Gemeenten te Amsterdam tot de Vereniging (1639)” and “De Portugese Gemeente ‘Talmud Tora’ te Amsterdam tot 1795” in *Geschiedenis der Joden in Nederland* (H. Brugmans and A. Frank, eds.), Amsterdam, 1940, 268-272. The synagogue on the Houtgracht was used until 1675, when the present monumental synagogue on the Deventer Houtmarkt (now Jonas Daniël Meijerplein) was consecrated.

in foreign parts, he will not come to live in this city being married to another and, if he does so, he will once again be placed under a ban of excommunication, as he was until now.

Moreover, he will mount the *teva* and will read the declaration which the Gentlemen of the Mahamad have imposed on him and he will be given public *malqut* [39 stripes] before the congregation.⁴⁶ Then he will prostrate himself at the foot of the stairs so that the worshippers might step over him. After that he will carry out whatever additional private penance, as between him and God, which the Reverend *hakamim* will recommend, to obtain reconciliation with God on account of his past sins.

[Signed] Abraham Mendes

Copy of the declaration which Abraham Mendes read from the *teva*:

"Most contrite and repentant of my errors and the enormous sins I have committed I, Abraham Mendes, ask most humble pardon of the Lord of the World, of His Holy Law and of this entire Holy Congregation for having abandoned the Law of the Lord; and my soul is sore afflicted by what I have done and the scandal that I have caused. In all sincerity I ascend this *teva* with contrition and humility. I am ready to carry out all the penance that has been laid upon me. All this is less than I deserve. I beg Your Lordships to pray to the Lord of the Universe to forgive the evil I have committed."⁴⁷

⁴⁶ By the 17th century, *malqut* were only administered symbolically, i.e., the strap gently touches, but does not strike the bare back. Cf. the description by Ishac Atias, *Tesoro de Preceptos*, Venice, 1627, 126 (2nd ed. Amsterdam, 1649, 64v): [. . .] *escuso apuntar, por todos haver visto el modo con que oy dá malcut la Congregación de España. Y la diferencia es que el malcut de Ley se dava con toda fuerça y los de aora con la blandura que se ve, por no ser el malcut deste tiempo jurídico, pues falta a Israel la jurisdicción criminal, y no es más que una memoria, virtuosíssima para alcançar perdón.* ("[. . .] I need not go into detail, since everyone has seen the manner in which *malqut* are administered these days among the Sephardim. The difference is that *malqut* according to the Torah was laid on full force, whereas nowadays tenderly and gently, because present-day *malqut* has no legal validity, since Israel has no criminal jurisdiction. It is merely a symbolic chastisement, possessed of excellent efficacy to secure pardon.") Atias was *hakam* of Hamburg's *Talmud Tora* congregation at the time of Uriel's excommunication and dedicated his *Tesoro de Preceptos* to that congregation.

⁴⁷ Cf. Amsterdam Municipal Archives, Portuguese Archive, 19, f. 116. The first historian to call attention to this document was Yosef Kaplan ("The Social Functions of the 'Herem' in the Portuguese Jewish Community of Amsterdam in the Seventeenth Century," in *Dutch Jewish History: Proceedings of the Symposium on the History of the Jews in the Netherlands*, 1982, Jerusalem, 1984, 111-155: 133, 141-143). The document was published by H. P. Salomon in his Introduction to S.L. Mortera, *Tratado da Verdade da Lei de Moisés*, Coimbra, 1988, 70-71.

The epithet "the Marriage Fiend" hints at Abraham Mendes' wrongdoing: bigamy.⁴⁸ The document discloses that Abraham Mendes was living under a ban of excommunication laid on him by the Jewish authorities of Amsterdam. On November 13, 1639 he appeared before these authorities begging to be released from the excommunication. He was informed that before this could be effected he had to make certain promises and submit to prescribed penances. He accepted these conditions, and the sentence of scourging and trampling was subsequently carried out.

Turning now to Uriel da Costa's *Exemplar*, we read of a different, and in many respects quite odd, sequence of events. In 1632 he was accused of not conforming to dietary and other precepts; he had dissuaded a Spaniard and an Italian, neither "of Jewish descent", from converting to Judaism⁴⁹; finally, he was summoned before the authorities and sentenced to undergo prescribed humiliations or else be condemned to renewed excommunication. He refused to bend and was again put under the ban. For seven years he was harassed until he finally submitted (in 1639?) to the very same humiliating ceremony⁵⁰ first proposed as an alternative to excommunication, but now proffered as a means of securing release from it.

Uriel's autobiographical account of his own penance tallies with the description of Abraham Mendes' down to the detail of his prostrate body being stepped over by all the congregants at the door of the synagogue.⁵¹

48 Five years later Abraham Mendes was again living in Amsterdam with a wife not Sara Mendes. On April 24 1644, the wardens prohibited both Abraham and Sara Mendes from setting foot in the synagogue, but no new excommunication was pronounced upon him. Cf. Amsterdam Municipal Archives, Portuguese Archive, 19, 255.

49 On April 10 1640 a certain Jacob Hamis was excommunicated for having transgressed the regulation *against* making proselytes! Cf. Amsterdam Municipal Archives, Portuguese Archive, 19, 108, 117.

50 Uriel was sentenced to be dressed "in a mourning vestment, holding a black wax taper" (*Exemplar*). Black candles are known to us from Leon Modena's description of the excommunication ceremony (*vide supra*, n. 22) and Lucas' description of Spinoza's excommunication ceremony in 1656 (cf. A. Wolf, *The Oldest Biography of Spinoza*, London, 1927, 105).

51 This penance, as it was voluntarily undergone in the Jewish community of Ferrara, is described in François Tissard's *Grammatica hebraica*, Paris, 1508, 21r. (Cf. N. Porges, "Gebhardt's Book on Uriel da Costa," *Jewish Quarterly Review*, 19, 1, 1928, 37-66: 63.) It is also mentioned by Johann Buxtorf, *Synagoga Iudaica das ist Juden Schul*, Basel, 1603, 603 (several times reprinted in Latin, German and Dutch translation). Another reference is found in the 16th-century cabbalistic work *resit hokma* by Elijah ben Mose de Vidas (book 3, chapter 7). De Vidas prescribes that the penitent's body is to be stepped

No record has been found in the congregational archives of Uriel's reconciliation ceremony. Nor is there, in the municipal archives, any notice of his death. That he committed suicide in April 1640 in a fit of melancholy brought on by his degradation in the synagogue is reported by the Hamburg lutheran clergyman Johann Müller in his book *Judaismus oder Judenthumb* (Hamburg, 1644, 71-72, 1415). Furthermore, according to Müller, who possessed a copy of it, Uriel's autobiography was written shortly before his death and was "found on the table near his corpse."⁵²

Another version of Uriel's death is provided by Philip van Limborch (1633-1712), who also came into possession of a copy of the autobiography. Limborch published it in 1687 under the title *Exemplar humanae vitae*⁵³ as an appendix to a miscellany entitled *De Veritate Religionis Christianae Amica Collatio cum Erudito Judaeo*.⁵⁴ In his introduction to da Costa's autobiography Limborch writes:

He seems to have finished it a few days before his death and after he had determined to put an end to his life. For burning with a desire of being revenged on his brother (others say his cousin) by whom he thought himself injured, he came to a resolution to shoot him and then himself. Accordingly, as this relative was going by his house one day, he levelled a pistol at him, but missing fire and feeling himself discovered, he immediately clapt too [= clapped shut] the door and, taking up another pistol which lay ready for that purpose, he shot himself and died in a terrible manner. In the house of the deceased this manuscript was found. A copy of it was communicated by a very eminent citizen to my great-uncle Simon Episcopius, amongst whose papers I found it.⁵⁵

over, not on. If de Vidas' advice was followed in Amsterdam, it would account for da Costa's reference to the spectators' antics "jumping like monkeys" as they passed over his prostrate body. Cf. A. M. Vaz Dias, *Uriel da Costa*, 1936, 26.

⁵² Cf. A. M. Vaz Dias, *Uriel Da Costa*, 1936, 28-29.

⁵³ The manuscript Latin text preserved in the University Library of Amsterdam is not in da Costa's hand; it may have been the copy in Limborch's possession. The first and last folios of this manuscript were reproduced as the frontispiece of Yohsuah Barjitschak's *Uriël da Costa* (The Hague, 1962). Gebhardt's edition of the Latin text (*Schriften*, 1922, 103-123) is taken from Limborch's *editio princeps* of 1687.

⁵⁴ "On the Truth of the Christian Religion, A Friendly Debate with a Learned Jew." The book consists mainly of a written debate between Limborch and Baltasar (Ishac) Orobio de Castro (1620-1687), the Portuguese-born scholastic theologian. Cf. H. P. Salomon, "Baruch Spinoza, Ishac Orobio de Castro and *hakam* Mosseh Rephael d'Aguilar on the Noachites: A Chapter in the History of Thought," *Arquivos do Centro Cultural Português*, 14, 1979, 253-286: 261-263; Yosef Kaplan, *From Christianity to Judaism, The Story of Isaac Orobio de Castro*, Oxford, 1989.

⁵⁵ Cf. *The Remarkable Life of Uriel Acosta*, London, 1740. Cf. C. Gebhardt, *op. cit.*, 259-261.

In the absence of documental evidence, readers of the *Exemplar* must gauge for themselves the depth of the author's desperation at the moment he penned the following lines:

[...] where a man cannot be allowed an advocate to defend his cause or a judge to punish the injuries done him, it is not to be wondered at if he takes all opportunities to defend and revenge himself.⁵⁶

2. Uriel da Costa and Leon Modena: Objections against Tradition

We have seen how the objections to Tradition incorporated in Modena's *magen ve-sina* originated with Uriel da Costa. A basic similarity between those objections and the contents of the first part of da Costa's 1624 book bears this out. That first part of da Costa's book consists of fourteen brief chapters, each containing an example of how, in the writer's opinion, talmudic interpretation falsified scriptural law. But despite the similarity between the eleven objections in *magen ve-sina* and da Costa's fourteen chapters, numerous and significant divergencies set them apart as distinct versions. Besides noting the differences between them, it may be safely conjectured that Modena's replies generated several of the most significant changes.⁵⁷ As an example, let us consider one of Uriel's objections, that against *tefillin* (phylacteries), and analyse the relationship between its earlier and later formulations.

Modena's *magen ve-sina* presents the list of objections in two forms. The first is a paraphrastic summary and not a verbatim reproduction of the heretic's words. It seems to be Modena's own composition, teeming as it does with rabbinical turns of phrase and learned allusions. By contrast, in the second the objections are, as stated above, generally demarcated with verbal equivalents of quotation marks (e.g., "the

⁵⁶ Cf. *Exemplar humanae vitae*, near the end.

⁵⁷ True to an unwritten convention of the day, da Costa never identifies Leon Modena. 17th-century Western European authors rarely condescend to name their contemporaries or immediate predecessors. In chapter 2 of the second part of his book, Uriel quotes a ten-line poem by Luís de Camões, referring to him as "a certain poet, foremost among those of his nation." Similarly, in chapter 7 of the second part, he simply refers to the philosopher he quotes as "a certain philosopher." Such circumlocutions extend to places, e.g., in the preface to the second part of "Examination" Uriel speaks of Hamburg as "a city where I had been dwelling for a few years."

following are his words” and “up to here are his words”). When considering the relationship between the remonstrations against Tradition in Uriel’s book of 1624 and the form those remonstrations were given eight years earlier in Modena’s book, one is inclined to turn first to the formulation which Modena treats as a direct quotation of the heretic, rather than to Modena’s paraphrase.⁵⁸

Let us then consider Modena’s putative improvements in da Costa’s 1616 performance. The first has to do with the changed sequence given to Uriel’s objections. Modena chides Uriel for unaccountably tackling phylacteries first, instead of letting the general precede the particular. In 1624, implicitly accepting Modena’s stricture, da Costa moves his treatment of the phylacteries to eighth place, allowing his general criticism of the Oral Law to occupy first place.

We shall now survey the more substantive revisions prompted by Modena.⁵⁹ In (1616 B).1 the heretic’s words are introduced and cited as follows:

He says, and these are his words: “It is not the Torah but only words of men that prescribe the putting on of *tefillin*. This is so because: 1. Nothing is said explicitly in the Torah concerning the manner of manufacturing them out of leather and making cubic receptacles, whereas in the case of *sisit* everything is explained.” Up to here his words.

Modena corrects Uriel’s misconception about *sisit* (Nm. 15, 37-41). If Uriel believed that the Torah had given a clear and detailed description of the *sisit*, in contrast to the *tefillin*, he was mistaken, for:

[the Law] does not indicate the number of strands nor their material: silk, wool or linen, nor their length and similar details.

⁵⁸ The fact that Modena consistently refers to the heretic in the third person shows that *magen ve-sina* was addressed to the Hamburg communal authorities who had consulted him, rather than directly to the heretic.

⁵⁹ Henceforward the three lists of objections will be designated as follows: the *magen ve-sina* versions will be dubbed (1616 A) and (1616 B), followed by Arabic numerals for subsections; the version constituting the first part of “Examination of Pharisaic Traditions” will be designated, likewise, by its date of publication between parentheses (1624) and the Roman numeral “I”, followed by Arabic numerals for chapters and subsections, e.g., (1624).I.8.4 = the fourth subsection of the eighth chapter of the first part of “Examination of Pharisaic Traditions.” References to the second part of “Examination” will follow the same system, e.g., (1624).II.8 = chapter eight of the second part of “Examination of Pharisaic Traditions.”

In (1624).I.8.1 Uriel will not allow the wool to be pulled over his eyes. While insisting that:

If the Law had wanted such things [leather cubes and thongs] to be made it should firstly have commanded them, then indicated their shape or form, as it did with *sisit*, commanding its making and explaining its colour and application [. . .]

he does not, however, claim any longer that Scripture gives a full explanation of *sisit*. He has clearly retracted from his 1616 position that Scripture provides a manual, as it were, for the making of *sisit*. His caution in the 1624 *sisit* paragraph once more betrays his mute acceptance of Modena's criticism.

In (1616 B).2 Uriel argued that, had the prescription concerning *tefillin* really been derived from the usually cited Pentateuchal verses, then they should be worn at all times, not only during morning worship services:

"[. . .] that obligation to wear them [were it indeed a Torah commandment] would apply at all times and would not be restricted to morning prayers nor would their wearing be suspended on the sabbath and festival days." Up to here his words.

At this point in *magen ve-sina* Modena sets da Costa right. He declares that rabbinic law enjoins that ideally *tefillin* ought to be worn all day, and that it is only for practical reasons and out of considerations of modesty that most worshippers shrink from wearing them beyond the time of morning devotions.

In (1624).I.8.4 any mention of *tefillin* being worn only at morning prayers has been dropped by Uriel, who now cavils only at the rabbis' suspending the use of phylacteries on sabbath and festival days:

For if putting on *tefillin* were a precept of the Law, this precept would be obligatory not just all day, but every day [. . .] Therefore the provision is entirely man-made, or it was against the Law that the people were exempted [on sabbaths and holy days] (we shall not include here their absurd response!) [. . .]

By referring to a response, da Costa reinforces our conviction that his writing is very much contextually determined, reacting to an unnamed pointed answer to his original grievance. The author of the answer is, of course, none other than Modena and the reply da Costa calls "absurd" is the 'ot apologetic Modena ha used to justify the suspension of *tefillin* on sabbaths and festival days. For Modena had asserted

in *magen ve-sina* that sabbath and festival days nullify the obligation to wear *tefillin* because these days as well as *tefillin* are designated in the Pentateuch by the epithet '*ot*' ("sign"), and therefore:

[...] were we not to [omit the wearing of *tefillin* on those days], their character as "sign-days" would be undermined [...]⁶⁰

When Uriel ([1624].I.8.5) comments:

It is equally erroneous to say that the knot on the left arm must be on a spot that faces and can be placed on the heart, in compliance with the precept: "and these words [...] shall be on thy heart" [Dt. 5, 6][...]

he is quite patently reacting to Modena, who had written in reply to (1616 B).3:

One binds them in such a way as to fulfil quite literally the verse: [...] and they shall be [...] on thy heart [...] [Dt. 6, 6], placing them on the biceps of the left arm, thereby ensuring that [...] the words are effectively written and placed on the heart [...]⁶¹

In his reply to (1616 B).1 Modena refers to the use of booths and palm fronds prescribed in Lv. 23: 40, 42, comparing these precepts to that of *tefillin*, whereas his opponent had made no mention of booths or palms. In (1624).I Uriel devotes his whole chapter 10 to them. It seems likely that Uriel took his cue for this new chapter from Modena.

These examples should suffice to convince us of Leon Modena's part in the final redaction of Uriel's objections against *tefillin*.

To determine the full range of Modena's influence, as indeed its limits, an exhaustive comparison would be needed. For instance, in 1616, da Costa had said nothing about the absence in the Law of Moses of any reference to posthumous rewards and punishments. In the *Exemplar* Uriel recounts how he "suddenly" decided to enrich his

⁶⁰ An obvious weakness in Modena's argument is, of course, the assumption that '*ot*' in the Pentateuch applies to both the *tefillin* of the arm and to the *tefillin* of the head, whereas the latter is in fact never designated '*ot*' in Scripture and should therefore (by Modena's reasoning) be worn even on those '*ot*' days when the (arm) *tefillin* are to be omitted. Nor could Modena have assumed that the obligation of head and arm *tefillin* are interdependent: the Mishna rules that the two are separate obligations (cf. *Menahot* 4, 1). Moreover, the word '*ot*' in the Pentateuch never refers to festival days but only to the seventh day of the week. Cf. *tora temima* on Ex. 13, 9.

⁶¹ Modena seems to overlook the Talmud's requiring left-handed persons to bind the *tefillin* on their right arm.

disquisition on “the vanity and invalidity of the traditions and ordinances of the Pharisees, and their repugnancy to the Law of Moses” when he discovered that “the Law of Moses is quite silent [about a future state or the immortality of the soul] and only proposes temporal rewards and punishments to the observers and transgressors thereof.” As it happens, one of Modena’s “proofs of the necessity for Tradition and the Oral Law” (*magen ve-sina*, reply to [1616.B].7) is formulated in the form of a rhetorical question, which may have prompted da Costa’s decision to append to his objections against Pharisaic traditions three chapters on this topic:

And as to beliefs, where [in the Law of Moses] do we find clearly set out the survival of the soul, posthumous reward and punishment, paradise and Gehenna, resurrection, etc.?

The related and oft-debated question of any reciprocal impact Uriel da Costa may have had on Modena can receive here but the scantiest of treatments. In 1622 Modena wrote his masterpiece *qol sakal* (“The Voice of the Fool”), a major critique of prevailing rabbinic judaism. In his preface Modena claims that someone had handed him in a Venice street a manuscript by one Amitai bar Yedaya Ibn Raz, “written at Alcalá in the year of creation 5260.”⁶² The attribution was, of course, fictional. Amitai speaks with the voice of Modena and Modena permeates every syllable. But also in *qol sakal* may be described some fruit that grew in its author’s mind from seed sown there by Uriel da Costa.⁶³

This would somehow explain why in 1948 Isaiah Sonne tried to make a case for Uriel da Costa’s authorship of *qol sakal*, a text which, according to Sonne, was Modena’s Hebrew translation from the Por-

⁶² The author’s name is obviously fanciful and by 1500 there had already for eight years been no jews in Spain.

⁶³ For instance, *qol sakal* claims that present-day *tefillin* are a rabbinic fabrication and, like Uriel and the Karaites before him, denies that Ex. 13: 9, 16; Dt. 6, 8 and Dt. 11, 18 are intended to be followed in a literal manner. Cf. the English translation of *qol sakal* by Talya Fishman, part of her Harvard University Ph.D. diss., 1986: “Kol Sachal’s Critique of Rabbinic Tradition,” 281-289. On the other hand, *qol sakal* does not discuss the talion, the burning of the priest’s daughter, the goring ox and other such issues important to Uriel but of no practical relevance to jewish life in modern society. Chapter 7 is devoted to a demonstration of the immortality of the soul, which takes account of Scripture’s silence on the matter. For a succinct comparison between Modena’s *qol sakal* and the objections submitted by Uriel in 1616, cf. Jakob J. Petuchowski, *The Theology of Haham David Nieto*, N.Y. 1954, 35-48.

tuguese of "Examination of Pharisaic Traditions."⁶⁴ The unfounded nature of this shrewd conjecture is now clear. No writer in the 17th century but Leon Modena was endowed with the wit and proficiency in rabbinic sources that every page of the inimitable *qol sakal* exudes. And if "Amitai bar Yedaya Ibn Raz" is an idealized "Uriel da Costa" with whom Modena identifies, one may even venture that in *qol sakal* the sympathies of the complex rabbi are subtly stacked in favour of his heterodox *alter ego*.⁶⁵

3. Samuel da Silva and Leon Modena

The dialogic line between Modena and da Costa as well as that between the latter and his opponent da Silva may aptly be said to intersect with a third line linking Modena to da Silva. In his prologue "To the Gentle Reader" da Silva writes that da Costa:

[...] proclaimed it a great iniquity to celebrate a festival for two consecutive days, where the Law only commanded one day of celebration. He did not accept the legitimate reason given for this by the prophets and holy men who lived at the time of the First and Second Temple [...]

Da Costa was countering the institution of two days for the celebration of every festival for those who resided outside of the Holy Land. (Given the recognized difficulty of transmitting the rabbinically calculated actual date to all scattered communities, this procedure was meant to ensure that one of those two days would coincide with the actual festival day prescribed by the Law of Moses.) In his last chapter, however, da Silva attributes the two-day feasts to the sages:

[...] Our sages considered this method [*i.e.* the empirical method of establishing festival dates, whereby one-day festivals are celebrated for two days in the diaspora] better and more reliable [...]

⁶⁴ Cf. "Leon Modena and the Da Costa Circle in Amsterdam," *Hebrew Union College Annual*, 21, 1948, 1-28. Modena's authorship of *qol sakal* was definitively established by Isaac E. Barzilay, "Finalizing an Issue: Modena's Authorship of the 'Qol Sakhal'," in *Salo Wittmayer Baron Jubilee Volume on the Occasion of his Eightieth Birthday* (English Section), 1, Jerusalem, 1974, 135-166.

⁶⁵ By way of a pun on the word *sakal* [= fool] and the word *sahal* [= whelp] the title alludes to Modena's first names: Yehuda 'Arye Leon [cf. Gn. 49, 9]; the phrase *qol sahal* is found in Job 4, 10.

a statement which makes for a manifest contradiction, unless da Silva assumes that the particular “sages” he refers to lived at the time of the first commonwealth and, hence, believes that festivals were celebrated outside of the Land of Israel for two days as far back as the first Temple era.

This is the very assumption put forth by Leon Modena in his astonishing reply to Uriel’s objection (1616 B).3:

[...] We should be content to put into practice the custom of the period of the prophets, for if they did not abandon it, it is not for us to do so [...] Our sages explained that no concession or negligence is to be tolerated in respect to the observance of the second and eighth festival days [...] For this custom existed in the highest antiquity at the time of the prophets and the sages, when there could surely have been no tampering with the Torah [...]

Later in his reply Modena addresses the anomaly da Costa had exposed in the rabbinic calendar, whereby the Day of Atonement, alone among the festivals, is kept for one day and not for two. In the first place, says Modena, a 48-hour fast would have been an intolerable burden. But, lest anyone be plagued by scruples for having fasted on the wrong day and eaten on the true Day of Atonement, Modena reassuringly adds:

[...] if some people now and then observe the Day of Atonement on the ninth day, it is acceptable, because there is some support for this in the Torah, where it says: “[...] ye shall afflict your souls on the ninth day of the month on the even [...]” [Lv. 23, 32]

The scruples Modena is allaying must have given pause to many a conscience. For by observing the fast on one day only, namely the tenth day of the month counting from the first day of Rosh Hashanah, the chance would always be there that, if the second day of Rosh Hashanah turned out to be the true Rosh Hashanah, one had fasted on the ninth day of Tishri. But the Law specifically commands fasting on the tenth day: “[...] on the tenth day of this seventh month is the Day of Atonement [...]” [Lv. 23, 27]. By his suppression of the last clause of Leviticus 23, 32, Modena defends the one-day fast, even if that one day turn out to be the ninth rather than the tenth of the month.

So when Dr. da Silva writes in his last chapter:

[...] To remedy this problem and avoid error, they celebrated every festival for two days outside of the Holy Land, save only the Great Day of Kippur. Since not all would be able to fast two days consecutively, it was decided always to determine its [*i.e.*, the Day of Atonement’s]

date by counting ten days from the first day of the seventh month. If it should later transpire that the beginning of that month had been proclaimed in Yerusalayim on the second day and they had accordingly celebrated the Kippur on the ninth day, they had not transgressed the Law, which had anticipated this situation and provided a remedy, for it is written: "[. . .] and ye shall afflict your souls on the ninth of the month on the even [. . .]"

he is again simply quoting Modena.⁶⁶

Da Silva can never be accused of excessive originality. With few exceptions he relies on rabbinical sources. In da Silva's chapter 30 ("Containing Some Proofs of Tradition and the Oral Law"), a cluster of material from Modena's "proofs of the necessity for Tradition and the Oral Law" referred to above (*magen ve-sina*, reply to [1616.B].7) may equally be found, e.g.:

- a) the textual integrity of the Torah could only have been preserved through oral transmission, in spite of the labile nature of the Hebrew vocalic system;
- b) only thanks to the Oral Tradition, normative practice could be founded on some enigmatic verses and terms of the Torah: for instance, the traditional identification of "the fruit of the tree hadar" in Lv. 23, 40 with a citron: if not for the Oral Law "some would claim it is an orange or a quince" [da Silva]; "a pomegranate or an apple" [Modena]⁶⁷;
- c) had Moses not spent his forty days and nights on Mount Sinai learning the Oral Law, he could be accused of idling;
- d) since the children of Israel were not gainfully employed during their years in the desert, they must have spent their time learning the Oral Tradition from Moses;

⁶⁶ More traces of *magen ve-sina* are discernible in da Silva's last chapter, particularly in the paragraph beginning "That great sage R. Hillel."

⁶⁷ The pomegranate and the carob are proposed — only to be rejected — as candidates for the "fruit of the tree hadar" in the Jerusalem Talmud (Sukkot 3, 5); the pomegranate and the quince in the Babylonian Talmud (Sukka 31b), but in neither Talmud is the discussion part of a "proof for the necessity of an Oral Law." Modena's *qol sakal* contains a parallel list of alleged obscurities in the Torah requiring elucidation by an Oral Law. As in *magen ve-sina*, an apple and a pomegranate appear as possible candidates for the "fruit of the tree hadar." (Cf. Fishman, *op. cit.*, 219-220.) The orange, unknown to the Talmuds, may be da Silva's touch.

- e) the judges appointed by Moses on the advice of Jethro could only have ruled according to the Oral Law;
- f) the institution of prayer can only derive from the Oral Law;
- g) the Oral Law must not be looked upon as a system autonomous and separate from the Written Law.

Da Silva gives no credit for his borrowings from Modena, for, no more than da Costa, is he inclined to name-dropping or to displaying other than Scriptural source-references. Besides, it would probably not have occurred to him that the Venetian rabbi was in any way original in his apologetics; nor even that there is room for originality within the kind of closed system of transmitted wisdom he must have supposed Modena to represent.

4. *Uriel da Costa and Samuel da Silva: Uriel's Three Chapters Against the Soul's Immortality*

In his book of 1623 Dr. da Silva reproduces three chapters (numbered 23-25) of Uriel da Costa's then still unpublished *Examination of Pharisaic Traditions*. The three chapters were taken from da Costa's autograph copy, as da Silva himself tells us:

[...] we managed to obtain a single quire [*um só quaderno*], which we can faithfully attest is in his own hand. Here now follows a word for word transcript. We have merely divided it into sections, for the clearer refutation of each of his points [...]⁶⁸

These same three chapters figure in part 2 of da Costa's 1624 book (hereafter [1624].II), now numbered 1-3:

[...] this man got hold of a couple of quires of ours [*alguns cadernos nossos*] which deal with man's soul and, with some modifications [*mudando palavras*], he incorporated their contents into a work of his own which also contained his reply [...]. Before tackling his reply, it is necessary to present what we wrote concerning the soul. Here follows the first chapter.⁶⁹

⁶⁸ "Treatise on the Immortality of the Soul," Chapter 8.

⁶⁹ Cf. "Examination of Pharisaic Traditions," Part II, Preface. Da Costa's "couple of quires" (opp. da Silva's "single quire") is perhaps idiomatic.

Thus there were three versions of Uriel's three chapters concerning the soul and its destiny:

1. Hand-written quires containing three chapters by Uriel (numbered 23-25) which somehow came into the possession of Dr. da Silva.
2. The text of these quires with minor and mostly immaterial changes, incorporated into Dr. da Silva's book of 1623.
3. A slightly touched up version of those three chapters (numbered 1-3), incorporated into Uriel's book of 1624 ([1624].II).

A meticulous comparison of (2) with (3) reveals approximately 450 variants between the two texts, nearly all of a purely mechanical nature. In da Silva's chapters, the introductory da Costa extracts have been tailored to the orthographic and morphological norms obtaining in his own writings, which are different from those observed in da Costa's book. For instance, throughout, where da Silva has *no*, *num*, *Deus*, *traição*, *fruto*, da Costa's spelling is *em o*, *em um*, *Deos*, *treição*, *fruito*. Curiously, though da Silva was da Costa's senior by some dozen years, his orthographic system is, at least in these cases, less old-fashioned. By contrast, da Silva uses the "archaic" forms *polo*, *cudar*, *baxo*, whereas da Costa uses the "modern" forms *pelo*, *cuidar*, *baixo*. Da Silva's recension (2) differs from (3) also in the following "details": it substitutes one tense for another, singulars for plurals (and viceversa) and one synonym for another; it eliminates printer's errors and introduces new ones; sometimes it changes the word order and makes other stylistic "improvements," though a number of the latter (perhaps misreadings or misprints) turn out to be more or less senseless corruptions, as when *de Ester* ("from Esther") becomes *deste* ("of this one"), *futuro* ("future") becomes *fictício* ("fictitious"), *derradeiro* ("last") becomes *verdadeiro* ("real"), *virão* ("will come") becomes *viviram* ("will live"). Surely unintentional are the omissions of strings of words, e.g., (2) (chapter 14) has *acabarseam o fim delles* ("they will end, their end") instead of (3): *Acabarsehão os breves e contados dias de minha vida, virá o fim delles* ("the brief, numbered days of my life will end, their end will come").

In two cases the divergencies between the versions are unaccounted for by any of the above, least of all by fluke or accident. In fact, one of them brings to the surface a slight conspiratorial intent. Unexpectedly, for all its technicality, this wrangling over flexions and forms affords a glimpse into an all too human side of da Costa and, for that matter, of da Silva too.

Da Costa accused the believers in the soul's immortality of tendentiously interpreting Job 19, 25. This verse is cited three times in (1624).II.2, once, simply to inform readers that the "immortalists" use this verse as a proof-text; the second and third times, to introduce his own divergent interpretation and paraphrase.

In (2) (da Silva's chapter 16) da Costa cites the verse from Job as follows:

eu conheço meu redimidor vivo, & verdadeiro [!], sobre o pó estarei [. . .]
 ("I know my redeemer alive, and truthful [!], on the dust I shall stand")

But in (3) (da Costa's chapter 2) this reads:

e eu conheço meu remidor vivo, e derradeiro sobre o poo estará [. . .]
 ("I know my redeemer alive, and last on the dust he shall stand")

In this citation alone there are no fewer than four divergencies between (2) and (3):

1. (3) begins with the conjunction *e* ("and"), present in the original Hebrew, but (2) omits it.
2. (2) spells the Portuguese word for "redeemer" *redimidor*; (3) spells it *remidor*.
3. (2) has *verdadeiro* ("truthful") for the Hebrew word *aharon* ("last"); (3) has *derradeiro* ("last").
4. (2) has *estarei* ("I shall stand") for the Hebrew word *yaqum* ("he will stand"); (3) has *estará* ("he shall stand").

Let us take each of these differences in turn. The introductory conjunction may well have been accidentally eliminated by a typesetter: in the following appearance of Job 19, 25, (2) has the conjunction, but not the personal pronoun. As to *redimidor*, consistently found in (2) and *remidor*, consistently found in (3), there is no difference in meaning. Both forms were acceptable in the 17th century, although *redimidor* came to be considered archaic. The word *verdadeiro* is an obvious misprint: both of the following citations in (2) have *derradeiro*. The word *estarei*, however, is present every time Job 19, 25 is quoted in (2). Could it be it a misprint, or did someone intentionally tamper with the text? And, if so, why?

To answer these questions, let us look at the next two appearances of Job 19, 25 in (2) and (3). In (2) (da Silva's chapter 22), da Costa's text reads:

Segue o lugar de Yob: & confesso meu redimidor vivo, & por derradeiro sobre meu pó estarei [...] ("Then comes the place in Iyob: 'I confess my redeemer alive, and at last on my dust I will stand'.")

where (3) (da Costa's chapter 2) reads:

Segue o lugar de Iiob: E eu conheço meu remidor vivo, e por derradeiro sobre o pó estará [...] ("Then comes the place in Iyob: 'And I know my redeemer alive, and at last on the dust he shall stand'.")

This time the renditions of Job 19, 25 in (2) and (3) present the following four differences:

1. The introductory conjunction is restored in (2) but the personal pronoun eliminated; (3) remains the same.
2. The Hebrew word *yada* 'ti ("I know") is mistranslated *confesso* ("I confess") in (2); (3) has the correct *conheço*.
3. The Hebrew word 'afar ("dust") is misconstrued *meu pò* ("my dust") in (2); (3) keeps the more correct approximation *o pò* ("the dust").
4. For the Hebrew word *yaqum* ("he will stand") (2) has *estarei* ("I shall stand"); (3) has *estará* ("he shall stand").

The obviously accidental elimination of the word *eu* in (2) does not affect the meaning: Portuguese verbs may do without personal pronouns. The word *confesso* in (2) is a misprint for *conheço*, as evidenced by the earlier correct reading. So too is the substitution of *meu* for *o* a typographical accident, since (2) has the more correct reading in the two other places. But what about *estarei*?

Now let us look at the third and final appearance of Job 19, 25. Further on in (2) (still da Silva's chapter 22), da Costa's transcription of the verse reads:

Eu confesso meu redimidor vivo [...] & por derradeiro sobre o pò estarei [...]

("I confess my redeemer alive [...] and at last on the dust I shall stand.")

In (3) we find:

Eu conheço meu redimidor vivo [...] E por derradeiro sobre o pó estará [...] ("I know my redeemer alive [...] and at last on the dust he shall stand.")

This time there are but three differences: *confesso* (2) and *conheço* (3); *redimidor* (2) and *redimidor* (3); *estarei* (2) and *estará* (3). We have seen that the first two are without significance but we ought to consider the third: why does (2) have "I shall stand" and (3) "he shall stand"?

In his chapter 22 da Silva mocks da Costa for having adopted the Vulgate's erroneous rendering of the verb *yaqum* in Job 19, 25 in the first person. Replying to da Silva in (1624).II.16, da Costa confesses to having at one time rendered the verb in question in the first person.⁷⁰ It is most significant that da Costa does not accuse da Silva of misquoting him. Yet we have just seen that in (1624).II.2 da Costa has the verb three times in the third person.

When putting together the definitive version (3) of his chapters, da Costa himself must have changed the original *estarei* into *estará*, without alluding to the change. In his chapter 16 he should have accredited da Silva. Evidently, da Costa is not a man to eat humble pie.

Having carried his duplicity this far, he is obliged to make further surreptitious changes because the two verbs in his paraphrase correspond to the former *estarei* and not to the emendation *estará*:

andarei & me moverei, yndaque agora amigos vos pareça tam pouco aparelhado para andar' [...] ("I shall walk and I shall move about, even though at present, my friends, I seem to you in such poor shape for walking.")

To extricate himself from this predicament, in (3) he puts all the verbs of the paraphrase (adding one for good measure) into the third person and equates the subject of those verbs, now taken to mean "my body", with "my skin", though "my skin" only appears in Job 19, 26, with which he has not yet dealt:

e que no fim desta minha angustia sobre a terra estará, andará, e se moverá minha pelle, meu corpo (a pelle se toma por todo o corpo no

⁷⁰ "[...] the best Latin versions [...] do adopt the third person and originally so did we. Yet we had still not completely made up our mind. But, since it all comes down to the same thing and it really makes little difference whether the verse is read 'I Shall stand' or 'my flesh shall stand', we opted for the first person [...] [emphasis supplied] ('Examination of Pharisaic Traditions,' Chapter 16).

mesmo Iyob)'[...]'('and that when my anguish will come to an end, my skin, that is to say, my body — the skin may be a synecdoche for the whole body in the book of Iyob — will stand, will walk and will move about.'')

He no doubt hoped to hoodwink the unwitting reader, who is to believe that "my body shall stand" and "I shall stand" is all much of a muchness. Were da Costa's ploy to have gone undetected, the polemical exchange that takes place in da Silva's chapter 22 and da Costa's chapter 16 would have remained well-nigh incomprehensible.⁷¹

Another variant between (2) and (3), though far less consequential, is telling enough to be noted here. It occurs towards the close of (1624).II.3. In his chapter 28, da Silva quotes da Costa:

[...] *en tudo se trocou & mudou minha sorte, porque alumiou Deus meu entendimento tirandome de duvidar das cousas que me affligiam & pondome no caminho da verdade confirmeza, & todos meus bẽs pullaram e creçeram a vista dos homẽs, & minha saude foy guardada com tam particular & notoria assistencia divina, que [...]* ("[...] my fortune took a completely new turn, because God enlightened my understanding, liberating me from doubts about the things that were afflicting me and putting me firmly on the way of truth. Everyone could see my worldly goods increasing by leaps and bounds and my health was maintained with such special and obvious Divine protection that [...]'')

In (1624).II.3 this passage appears as:

[...] *em tudo se trocou, e mudou minha sorte; por que me tirou Deos de duvidas que me affligiam, pondome no caminho da verdade com firmeza; meus bens, e minha saude foi guardada, com tam particular, e notoria assistencia divina, que [...]* ("[...] my fortune took a completely new turn, because God removed from me the doubts that had been afflicting me, putting me firmly on the way of truth. My wealth and my health was maintained with such special and obvious Divine protection that [...]'')

In (3) "my wealth and my health" govern a singular verb, although "wealth" (*bens*) is itself a plural in Portuguese. We suspect that

⁷¹ As will be pointed further on ([1624].II.16, footnote 2), da Silva does not come out of this exchange looking any more honest than da Costa.

this passage was rewritten by da Costa, after taking note of da Silva's strictures:

[...] he has finally sunk into his ultimate blindness, boasting that he has been granted worldly goods for his merits [...] The worldly advantages which make him so conceited, such as enjoying good health [...]

and that he attempted, careless of grammar in his haste, to tone down his own grandiloquence. Thus, once again, (2) rather than (3) represents what da Costa had originally written.

5. *The Question of the Soul's Immortality Placed in Historical Perspective*

The immortality of the soul as a specific and explicit doctrine is Greek in provenance, originating with Socrates (470-400 B.C.E.) or Plato (428-348 B.C.E.). Plato's *Phaedo* contains a number of arguments on behalf of the immortality of the individual rational soul. Aristotle (384-322 B.C.E.) expressed views which have sometimes been interpreted as supporting, at other times as opposing this doctrine. Epicurus (341-270 B.C.E.) and his followers were outspokenly opposed to the concept of immortality, arguing that the soul is corporeal and dissolves with the body.

Unlike the concept of immortality, that of resurrection is non-Greek in origin, even though the kindred idea of metempsychosis was certainly known to Pythagoras (570-500 B.C.E.). Both beliefs come together in the New Testament. While presenting no definition of the soul, it suggests the soul's immortality through numerous allusions to everlasting posthumous rewards and punishments (*e.g.*, Matt. 5, 12; 13, 49-50; 10, 20; 25: 34, 46; Mark 10, 43-44; 2 Cor. 5, 1; 2 Thess. 1, 8-9; Gal. 5, 21; Eph. 5, 5; Rev. 21, 8). The belief in resurrection is central to New Testament theology (*cf.* Matt. 22, 31-33; Mark 12, 26-27; Luke 20, 37-38; Acts 17, 32; 24, 15; 1 Cor. 15, 12). Despite their disparate provenance, the two notions seem to have become linked ever more closely, at least in the post-Biblical judeo-christian traditions. When the fourth Lateran Council proclaimed in 1215 that in the resurrection all men "will rise again with their own bodies, the very ones they bore about them during their life-time," interminable, if not infinite survival was implied. The duration of the soul's existence after resurrection and if the latter should be thought of as permanent was a matter of dispute. For those

who, like our Dr. Samuel da Silva, entertain a quasi-pantheistic notion about the human soul:

[...] his soul was more than heavenly, because it proceeded directly from God Himself [...] [Chapter 1] [...] different from the divinity in that it has a beginning; like unto the divinity in that it has no end [...] [Chapter 16]

the soul, being as it were, an emanation of the divinity, must by definition be immortal.

The Church Fathers (Justin Martyr, c. 105-c. 165; Irenaeus, c. 125-202; Tertullian, c. 155-c. 222; Origen, c. 185-254; Augustine, 354-430; etc.) believed that the soul of a righteous person survived the body, and will be reunited with it at the time of resurrection. The souls of the wicked are doomed, according to some Fathers, to eternal punishment; according to others, to annihilation. Gregory of Nyssa (c. 335-c. 398) argued, against Plato, that the soul is not immortal by nature, but that immortality and resurrection are gifts of God. In his Latin treatise "on the immortality of the soul," Augustine argued that the soul is potentially but not intrinsically immortal.⁷²

Avicenna (980-1037), the first great medieval commentator on Aristotle, contends that the rational soul is a self-sustaining substance which becomes individualized when it is received by the body. He was also the first to distinguish between the vegetable, animal and rational souls. He believed that what he called the vegetable and animal souls perished with the body. The rational soul, on the other hand, in spite of losing its individuality when the body dies, is absorbed into immortal universal reason.

The great Aristotelian Averroës (1126-1198), whose commentary on Aristotle heavily influenced scholasticism, interpreted Aristotle to mean that what is eternal is the human being's active intellect (which he does not call "soul"), and even that only collectively, not individually.⁷³ With Thomas Aquinas (1225-1274) the immortality of the soul became a fundamental tenet of canonic christian doctrine. He held that the soul (*i.e.*, the rational soul) is multiplied according to the number of individual human beings and thus individually immortal. While

⁷² Cf. Harry Austryn Wolfson, "Immortality and Resurrection in the Philosophy of the Church Fathers," *Religious Philosophy*, Cambridge (Mass.), 1961, 69-103.

⁷³ William L. Reese, *Dictionary of Philosophy and Religion, Eastern and Western Thought*, Atlantic Highlands (N.J.), 1980, s.v., "Immortality," "Socrates," "Aristotle," "Averroës."

assigning vegetative and sensory functions to the rational human soul as long as it is attached to the body, Thomas claims for it an infinitely prolonged separate individual existence once it ceases to exercise these functions. After the death of the body it will be held accountable for its past actions while still united with the body and will be rewarded or punished accordingly, both as a soul and, after resurrection, as a reconstituted entity made up once more of body and soul. Defending christian dogma against Averroistic tendencies, Marsilio Ficino (1433-1499) argued in his *Theologia Platonica de Immortalitate Animarum* (1482) that the survival of the soul is the main foundation of religion and that there is a direct connection between faith in the soul's immortality and faith in God. "The soul, freed and pure, becomes (in a certain sense) God."⁷⁴

The fifth Lateran Council in 1513 proclaimed heretical the Averroist theory of the dispersion of individuality in a universal active intellect, and, as an article of faith, the individual immortality of the human soul. Just three years later, in 1516, Pietro Pomponazzi (1462-1525) published his famous *De immortalitate animae*, which created a storm of controversy.⁷⁵ Five treatises appeared against it and Pomponazzi himself wrote two lengthy works in its defence: *Apologia* (1518) and *Defensorium* (1519).⁷⁶ He concluded that the soul's immortality cannot be demonstrated by reason or Aristotelian principles but that it must simply be accepted on faith. He dissented in a complex way from both Averroës' and Thomas Aquinas' interpretations of Aristotle's thought on the survival of the soul. The former had attributed to Aristotle the view that there is no individual immortality after death while the latter had read some kind of individual immortality into Aristotle's writings. According to Pomponazzi the human soul, occupying a middle position between the souls of animals and pure intelligence, "needs the body for its object, but not for its subject." Thus

⁷⁴ Cf. Paul Oskar Kristeller, "The Theory of Immortality in Marsilio Ficino," *Journal of the History of Ideas*, 1, 1940, 299-319.

⁷⁵ Cf. *Ibid.*, s.v., "Pomponazzi." Pomponazzi's "Treatise" was translated into English by William Henry Hay II. It is included in E. Cassirer, P. O. Kristeller and J. H. Randall, *The Renaissance Philosophy of Man*, Chicago, 1948, 280-381. Cf. P. O. Kristeller, "Two Unpublished Questions on the Soul by Pietro Pomponazzi," *Medievalia et Humanistica*, 8, 1955, 76-101.

⁷⁶ Cf. Étienne Gilson, "Autour de Pomponazzi. Problématique de l'immortalité de l'âme en Italie au début du XVI^e siècle," *Archives d'histoire doctrinale et littéraire du Moyen Age*, 36, 1961 (1962), 163-279; *id.*, "L'affaire de l'immortalité de l'âme à Venise au début du XVI^e siècle," *Umanesimo europeo e umanesimo veneziano* (ed. by Vittore Branca), Florence, 1963, 31-61.

"the soul is absolutely mortal, though in some respects immortal."⁷⁷ Pomponazzi further argued that virtue is its own reward and should not be pursued for the sake of fame.

It is a matter of dispute whether Pomponazzi's thought was heterodox. Since Pomponazzi rejected the Averroist theory of the unity of the intellect and recognized the individual immortality of the soul as an article of faith, his treatises, though subjected to fierce theological attack, were never formally condemned or put on the Index of prohibited books. Some scholars have suggested that his secret intention was to undermine christianity. Paul Oskar Kristeller, on the other hand, sees Pomponazzi as part of the trend to separate the domains of theology and philosophy, thereby freeing the philosopher "to develop and reach the most probable conclusions of reason while accepting the teachings of religion on the basis of faith and authority."⁷⁸

The first treatise written in Portuguese bearing the title "On the Immortality of the Soul" was the work of Álvaro Gomes (1510 - ?), the most important theologian in Portugal during the first half of the 16th century and sometime professor of theology at the University of Coimbra. The manuscript bearing that title forms the second part of his "Treatise on the Perfection of the Soul," dated 1550, which remained unpublished until 1947. It is an endeavour to reconcile Aristotle's negative views on immortality with the positive ones of Plato, the New Testament and later christian theology. Gomes dedicated it to king John III who had been his patron and constant protector from his earliest youth. In the course of his brief essay (93 pages in large print), he cites no fewer than 42 authorities. Like da Costa and da Silva, Gomes was born into a New Christian family. His parents, Spanish jews who had taken refuge in Portugal in 1492, were forcibly converted, along with their co-religionists on Portuguese soil, in 1497.⁷⁹

⁷⁷ Cf. P. O. Kristeller, *art. cit.*, 80. John Herman Randall, Jr., words Pomponazzi's conclusion somewhat more provocatively: "[...] the soul is essentially and truly mortal, relatively and improperly speaking immortal." (Cf. *The Renaissance Philosophy of Man*, 272). To contend with Olaf Pluta (*Kritiker der Unsterblichkeitsdoktrin in Mittelalter und Renaissance*, Amsterdam, 1986, 6) that this conclusion achieved "der Befreiung von der damals alle Lebensbereiche überschattenden Angst vor dem Gericht am Ende des Lebens und vor der ewigen Verdammnis" seems somewhat far-fetched, to say the least. For Pomponazzi's possible influence on Martin Luther (1483-1546), cf. Carl Stange, "Zur Auslegung dess Aussungen Luthers über die Unsterblichkeit der Seele," *Zeitschrift für systematische Theologie*, 36, 1926, 735-784.

⁷⁸ P. O. Kristeller, *art. cit.*, 83.

⁷⁹ Cf. Álvaro Gomes, *Tractado da Perfeição da Alma* (Introduction and notes by A. Moreira de Sá), Coimbra, 1947; H. P. Salomon, Review of "Álvaro Gomes, *Apologia (Texto Inédito do Século XVI)*", *Arquivos do Centro Cultural Português*, 17, 1982, 964-966.

6. *Jewish Views on Eschatology*

We may conveniently begin our review of eschatological belief among the jews with the controversy on resurrection between the Pharisees and the Sadducees. Although they do not surface, or, at any rate, attain pre-eminence, until Hasmonean times, it is in connection with the Pharisees that we first hear of firmly held opinions on the question of the soul's durability beyond physical death. Thus Flavius Josephus:

They [the Pharisees] believe that souls have an immortal vigour in them and that under the earth there will be rewards or punishments according as they have lived virtuously or viciously in this life. And the latter are to be detained in an everlasting prison, but that the former shall have the power to revive and live again, on account of which doctrines they are able greatly to persuade the body of the people [...] But the doctrine of the Sadducees is this: that souls die with the bodies.⁸⁰

Evidently the idea of immortality had already at an early date become inextricably tied up with that of resurrection to the point where Josephus can talk about them as he does in this passage.

The chief bone of contention between our two polemicists is whether or not the Bible teaches of an afterlife. Da Costa the critic anticipates modern Biblical scholarship when he dates Daniel (the only book of the jewish canon wherein the hope of resurrection is explicit [cf. B.T. Sanhedrin, 92a]) to the Pharisaic age.

Most Talmudic rabbis believed in a place called *gehinnom* (= Gehenna: variously described and located) where the wicked are subject to posthumous punishment lasting twelve months (cf. Mishna, Eduyot, 2:10). Some rabbis thought an exception would be made for the egregiously wicked, such as apostates, heretics and informers, whose punishment would be unlimited in time (cf. *inter alia*, Rosh Hashanah 17a). Other rabbis denied the very existence of Gehenna, e.g.:

R. Simeon b. Lakish says: There is no Gehenna in the Future World [...] [B.T., 'Aboda Zarah, 3b]

Still others believed that the souls of the wicked roam the earth until purified of their sin. A belief of Zoroastrian origin adopted by a

⁸⁰ Cf. Flavius Josephus, *Ant.* 18, 1, 3. Cf. also *Wars* 2: 8, 14; *Ant.* 13: 10, 6; 20: 9, 1. For Josephus' own view, cf. *Wars* 3: 8, 5: "The bodies of all men are indeed mortal and are created out of corruptible matter; but the soul is ever immortal and is a portion of the divinity that inhabits our bodies." Josephus appears to be the first jewish exponent of the soul's divinity.

number of rabbis was that the soul hovers over the body for three days, but leaves it when decomposition sets in (cf. J. T., Moed Katan 3, 5; Yebamot 16, 1).

Afterlife and resurrection are affirmed as dogma in the Mishna (2nd century): "Whoever says there is no resurrection [in the Torah], has no portion in the world to come." (Sanhedrin, 10, 1).⁸¹ The expression "world to come" was taken by some to refer to a place where after physical death the righteous enjoy the splendour of the Divine Presence; others thought it referred to the present world after the raising of the dead. The hyperbolic language characteristic of many *'aggadot* dealing with eschatology precludes an unequivocal answer to the question as to whether any of the rabbis conceived of the human soul as being literally immortal.

Some will claim that a certain measure of ambiguity attaches equally to the rabbinic pronouncements on resurrection. Yet there is a consensus that for many of the rabbis of the Talmud resurrection meant the actual recoupling of the souls of righteous people with their original shells. It is argued that the prosaic quality of typical pronouncements concerning resurrection, such as the one about the dead being raised wearing the very shrouds in which they were buried (cf. B.T. Ketubot 11b), accounts for this consensus.

The one notable dissenting voice is that of Maimonides (1135-1204), who in his *misne tora* denied bodily resurrection after death, while spiritualizing talmudic references to it.⁸² According to Maimonides, only the acquired intellect (= ? soul) may survive, although not individually. He described the bliss vouchsafed (some of?) the righteous in the hereafter as completely spiritual and affirmed that the souls of the wicked perish with their bodies. Yet by his thirteenth article of faith he raised physical resurrection to the rank of dogma. This inconsistency was held against him during his lifetime. He was forced to write a treatise on resurrection wherein he reiterated his belief in a posthumous reunion of the soul and the body, but, by way of compromise, restricted it to the Messianic era. Afterwards, the soul would again shed its body. True immortality, defined by Maimonides as eternal contemplation with a modicum of understanding of the Divine

⁸¹ The bracketed words may be a later interpolation. Cf. Soncino Edition of the Babylonian Talmud (London, 1935), Sanhedrin 2, 601-602.

⁸² Cf. *hilkot tesuba* 8, 2 and criticism *ad. loc.* of R. Abraham b. David (1125-1198) who cites — against Maimonides — such Talmudic dicta as the one about the shrouds, which in his opinion demand to be taken literally.

Essence, would be vouchsafed only those who developed their intellect to its highest potential during their lifetime.⁸³

Later medieval jewish philosophers insist on individual survival of the soul, arguing against the position attributed to Maimonides that the acquired intellect becomes one with the active intellect, thereby losing its individuality. Joseph Albo (first half of 15th century) upheld the notion of unending punishment for the souls of some categories of sinners (*'iqarim*, 4, 38, 6).

A systematic eschatology emerges in the cabalistic literature of the 16th century. Retaining its individuality, the soul of the righteous person ascends by well-defined stages to the divine emanation, where it dwells until resurrection. Afterwards it becomes absorbed in the source. The soul of the wicked is purified by temporary burning in hell (*gehinnom*) or by successive reincarnations. In some cases, it is denied both forms of cleansing and is permanently outcast.⁸⁴

In January 1619, a leading jewish intellectual of Venice, Sara Copia Sulam, wrote to Baldassare Bonifaccio (1586-1659), a learned priest, requesting him to provide her with an explanation of Aristotle's views on the immortality of the soul. Sara's circle of jewish and christian intellectuals also included Leon Modena, who dedicated to her that same year his Italian play on Esther. In response to Sara's request, Bonifaccio published at Venice in June 1621 a discourse on the immortality of the soul (*Dell' immortalità dell'anima*). It is a 60-page compilation of specious syllogisms in favour of the soul's individual immortality, replete with references to Aristotle, Avicenna, Averroës *et quibusdam alii*, prodigally sprinkled with quotations from Latin and Italian literature.

83 Cf. Harry Blumberg, "The Problem of Immortality in Avicenna, Maimonides and St. Thomas Aquinas," *Harry Austryn Wolfson Jubilee Volume*, 1, Jerusalem, 1965, 165-494: 174-180.

84 Cf. Alexander Altmann, "Eternality of Punishment: A Theological Controversy Within the Amsterdam Rabbinate in the Thirties of the Seventeenth Century," *Proceedings of the American Academy for Jewish Research*, 40, 1972 (1973), 1-88:30-33. The cabbalistic position is not without its resemblance to Origen's theory of gradual but continuous purification of souls, including those of the most wicked, culminating in *apocatastasis*, the universal restoration of all to God. Cf. H. A. Wolfson, "Immortality and Resurrection," 76-77.

Bonifaccio started out with two assumptions: 1) Sara Copia Sulam was the first jew ever to doubt immortality; 2) the soul's immortality was taught by the Bible:

You alone among the jews after so many thousands of years refuse to believe the infallible document handwritten by God, by throwing doubt on the truth of the sacred Scriptures and putting the authority of Aristotle before the oracles of the prophets.⁸⁵

In her 12-page reply issued from the press of Antonio Pinelli (who had earlier published Bonifaccio's "Dicourse") during the summer of 1621, Sara denies ever having expressed or entertained any doubt concerning "the infallible truth that the human soul is immortal":

[...] and infused in the body by God when the organism is rendered able to receive it within the womb and this truth is for me as certain, infallible and undoubted as I think it is for any jew or christian [...]⁸⁶

Furthermore: (1) many jews in history have doubted the soul's immortality, e.g., the Sadducees, as is evidenced by Matthew 22, 23; (2) the only "document handwritten by God" she knows of is the Decalogue, wherein there is no mention of the soul's immortality.⁸⁷

In his 6-page counter-reply, published by Antonio Pinelli in August 1621, Bonifaccio argues that: (1) extinct for so many centuries, the Sadducees are not to be reckoned jews; (2) their denial of the soul's resurrection does not necessarily imply denial of its immortality;

85 [...] voi sola tra gli Hebrei dopo tante miglaia d'anni negate fede all'infallibil chirografo che scrisse Iddio di Sua mano, revocando hora in dubbio la verità delle sacre carte ed antepoendo l'autorità di Aristotile a gli oracoli de'Profeti. Cf. *Dell'immortalità dell'anima*, 5. (I thank Ms. Miriam Silvera for providing me with a xerox of the copy in the Biblioteca Vaticana.)

86 [...] infusa da Dio nel nostro corpo in quel tempo che l'organizzato è reso habile nel ventre materno a poterla ricevere: e questa verità è così certa, infallibile & indubitata appresso di mè, come credo sia appresso ogn'Hebreo e Christiano [...]. Cf. *Manifesto di Sarra Copia Sulam Hebraea nel quale è da lei riprouata e detestate l'opinione negante l'immortalità dell'anima, falsamente attribuitale dal Sig. Baldassare Bonifaccio* ["Manifesto of Sarra Copia Sulam in which she refutes and disavows the opinion denying the immortality of the soul, falsely attributed to her by Signore Baldassare Bonifaccio"], 5r. (I have consulted the copy in the Bibliothèque Nationale.) Howard Adelman ("Success and Failure in the Seventeenth Century Ghetto of Venice," 617) points out that this is a christian rather than a jewish view.

87 *Manifesto*, 8v.

(3) the "document handwritten by God" refers to the entirety of Scripture.⁸⁸

In Bonifaccio's original "discourse," he had reinforced a quotation from Plato by one from Ecclesiastes and another from Genesis, throwing in three transliterated Hebrew words:

Let the dust return to its earth, whence it came, and the spirit [*ruah*] to God, who gave it to it." [Eccl. 12, 7] This breath of life and this reasonable spirit which God breathes into man is called by divine Scripture *nesama*. The sensitive soul of the brutes is called *nefes* and is not inspired by God, but produced of the elements, because it is taken from the power of matter. But Scripture says: "Let the waters bring forth and let the earth produce the soul of beasts [*nefes haya*] and of fish." [cf. Gn. 1, 20] When Solomon distinguishes between the body of man, which is material, and the spirit, he calls it *ruah*, a word which in all of Scripture always signifies incorporeal substance and never was the soul of some brute animal called *ruah*. But *ruah* is applied to the human, the angelic and the divine mind.⁸⁹

In her reply, Sara mocked Bonifaccio for not knowing Hebrew and relying on others who provided him with false information. She claimed that *ruah* in Scripture "only means air, wind and the breath we breathe."⁹⁰ In his rebuttal Bonifaccio charges that it is Sara who relies on others, since he recognized in her first letter to him, as well as in her reply to his "discourse," the stamp of her "champion," the famous rabbi:

[...] whom I have always honoured in my writings and whose talent I have much praised, whose interests I have promoted and, together with those who are closest to me, whose fortunes I have raised up,

⁸⁸ Cf. *Risposta al manifesto della Signora Sara Copia del Signor Baldassare Bonifaccio*, 3v. (I thank Ms. Miriam Silvera for providing me with a xerox of the copy in the Biblioteca Vaticana.)

⁸⁹ "Ritorni [...] la polvere alla sua terra di donde venne e ritorni lo spirito a Dio che lo diede". Quello spiracolo di vita e quell'animo ragionevole che infuse Iddio nell'uomo, la divina Scrittura lo chiama NESCIAMAH. L'anima sensitiva de'bruti è chiamata NEPHES, e non è spirata da Dio, ma prodotta dagli elementi; perche si cava dalla potenza della materia. Però dice la Scrittura: "Producano le acque e produca la terra l'anima (NEPHES) delle fiere e de'pesci". E quando Salomone dal corpo dell'uomo, che è materiale, distingue lo spirito, lo chiama RVACH, voce che in tutta la Scrittura significa sempre sostanza incorporea, nè mai fù chiamata RVACH l'anima d'alcun bruto animale. Ma RVACH sono dette la mente humana, l'angelica e la Divina. Cf. *Dell'immortalità dell'anima*, 7.

⁹⁰ Cf. *Manifesto*, 9.

whereas he [...] rewards me with acrid invective. I say "he" and not "you," for I recognize his characteristic idioms, the conceits which always flow from his mouth [...]⁹¹

The bitter critic is none other, of course, than Leon Modena. As to *ruah*, Bonifaccio invokes Eccl. 3, 21 and 21, 7; Zech. 12, 1 and 13, 2; Is. 31, 3 and 57, 16; Ezek. 2, 2; Nm. 11, 25 and Gn. 1, 2 to prove his interpretation, which, he writes, he gleaned from books rather than from "great teachers" such as those with whom Sara is blessed.⁹²

One can hardly fail to discern in this 1621 exchange between a catholic priest and a jewess of Venice a foreshadowing of the 1623-1624 agon between our two protagonists. Yet by negating outright the doctrine of the soul's immortality, Uriel da Costa's "Examination of Pharisaic Traditions" of 1624 marks something of a watershed. It was certainly the first time a jew writing in a modern European language dared to question the tenets of jewish and christian orthodoxy (48 years later, Spinoza will prudently stick to Latin).

Furthermore, da Costa, a seasoned latinist and former student of Canon Law, valiantly attempts to turn his back on the classic authors (e.g., Aristotle along with his medieval moslem and jewish commentators, Plato, Cicero, Lucretius, Pliny the Elder), the christian sources (e.g., the New Testament, the Church Fathers, Aquinas), the rabbinic authorities (e.g., Mishna, Talmud, Aggadah). Except for a brief poem by Camões, a stanza from a Spanish *romance* and an unnamed pagan philosopher, only the jewish Bible is appealed to.⁹³ Where Pomponazzi made faith in the soul's immortality independent of reason, da Costa, by equating reason with "authentic Scripture" (i.e., shorn of all Pharisaic accretions) and eliminating appeals to Greek philosophy, shattered faith in an afterlife. His book would have been anathema to the Dutch Reformed Church, whose belief in eternal rewards and, most emphatically, eternal punishments, claimed to be sustained exclusively by the "clear teachings of the Bible."⁹⁴

91 [...] *Io con gli scritti honorai sempre questo vostro campione e lodai molto l'ingegno suo; promossi anco gl'interessi ed insieme co'miei più congiunti sollevai la fortuna. Hora egli [...] mi ricompensa con un'acerba invettiva. Egli, dico, e non voi: perche riconosco gli idiotismi del suo linguaggio e gli stessi concetti ch'egli hà sempre in bocca [...]*. Cf. *Risposta al manifesto*, 2v.

92 *Ibid.*, 3v.

93 Da Costa's rejection of philosophical arguments is discussed by Diogo Pires Aurélio, "Uriel da Costa: o discurso da vítima," *Análise*, 2-3, 1, 1985, 5-33: 17-22.

94 Cf. Jean Calvin, *Psychopannychia* [1st edition, 1545]. Calvin thought that those who had the Bible did not need pagan or christian philosophers to prove the soul's immor-

7. *The Aftermath*

Uriel's book was burnt in 1624, shortly after it issued from the press, but its denial of the soul's immortality echoed on through the ensuing decades. Until Spinoza's *Tractatus Theologico-Politicus* (1670), da Costa's book — which partially survived through the citations in Dr. da Silva's refutation — was the most radical attack on officially accepted doctrine to have appeared in the Amsterdam Sephardic community. No less than five pieces affirming the soul's post-mortem survival, ultimate resurrection and immortality flowed from the pens of the Amsterdam rabbinate between 1624 and 1640.

The first of these is the unpublished Hebrew (?) "Treatise on the immortality and eternality of the rational soul" by *hakam* Saul Levi Mortera (1596?-1660). Though long since lost, it has recently been partially reconstructed by Dr. M. Saperstein from precise references to its contents in Mortera's published and unpublished sermons. It will be remembered that in a session with da Costa in 1623, Mortera had unsuccessfully attempted to convince him of "the truth." Thanks to Mortera's dating of his sermons, Saperstein has established that Mortera's treatise on the soul was completed in 1624, the very year da Costa's "Examination of Pharisaic Traditions" came off the press to be consigned to the flames (at the instigation of *hakam* Mortera?). No doubt due to the anathema, da Costa's name is omitted from Mortera's writings. Yet, Marc Saperstein has pointed to a number of direct connections between Mortera's lost treatise and the da Costa-da Silva polemic, e.g., in Mortera's discussion of the binding of Isaac.⁹⁵

In or around 1635 *hakam* Mortera, born in Venice of Italian Ashkenazic stock, preached a sermon in the *Bet Ya'aqob* congregation, reminding his flock of the Talmudic dictum (Rosh Hashanah 17a) that apostates are condemned to hell for all eternity. The result was an outburst of indignation on the part of young people recently arrived from Portugal. Implying the damnation of all their relatives who died or would die outside the fold, this doctrine seemed excessively harsh

tality. Many of the Scriptural proof-texts used by Calvin to demonstrate immortality are the very ones da Costa invokes for his opposite purpose. Cf. Leo Strauss, *Spinoza's Critique of Religion*, New York, 1965, 310.

⁹⁵ Cf. da Silva's chap 13 and (1624).II.12. Cf. Marc Saperstein, "Saul Levi Mortera's Treatise on the Immortality of the Soul," *Studia Rosenthaliana*, 25, 2, 1991, 131-148.

and, from the perspective of their New Christian background, tainted with christian dogma. They demanded of the parnassim an injunction forbidding Mortera to give further utterance to it. They found a champion in Mortera's Portuguese-born colleague *hakam* Isaac Aboab da Fonseca (1605-1693) of the *Neve Salom* Congregation, who, on the basis of late cabalistic writings, argued that sinning descendents of jews, be they jews or not, are exempt from eternal damnation. Instead, their souls go through a prolonged process of purification by means of successive transmigrations. In a report to the rabbinical authorities of Venice, Mortera displayed an impressive array of sources to support the orthodoxy of his views on hell, calling the opposing opinions "crooked and corrupt innovations" liable to mitigate the trepidation which prompted some Portuguese New Christians — influenced by threats of eternal punishment emanating from Amsterdam — to leave Portugal. This was the occasion for the second literary effort on the subject, Aboab's Hebrew pamphlet entitled *nismat hayim* ("The Breath of Life").⁹⁶

Hakam Menasseh ben Israel's *Resurreccion de los muertos* "Wherein the Immortality of the Soul [...] is proven against the Sadducees,"⁹⁷ was published at Amsterdam in 1636, followed the same year by a Latin translation. Like all of Menasseh's treatises, it is a laborious compilation: 187 pages in small print of remarks on the subject at hand, culled from dozens of ancient and modern authorities, characteristically including christians (e.g., Pomponazzi). Uriel da Costa's three chapters are cited on more than one occasion, but not his name. Anathema by association, so it would seem, is the otherwise respectable da Silva: his treatise of 1623 which vehicled da Costa's words is also passed over in silence. When, for instance, Menasseh attributes to "the Sadducees" the following proposition (chap. 7, p. 25):

[...] *el alma del hombre es el espirito de vida con que vive, el qual está en la sangre, y con este vive y haze sus acciones, y no ay otre diferencia entre el alma del hombre a la del bruto que ser la del hombre racional, y la del bruto inracional, empero en el nascer, vivir y morir en todo son yguales [...]*

⁹⁶ Both Mortera's report and Aboab's pamphlet were published for the first time by Alexander Altmann, prefaced by an analysis. Cf. *art. cit. supra*, n. 84.

⁹⁷ *De la Resurreccion de los muertos Libros III en los quales contra los Zaducoes se prueva la immortalidad del alma y resurreccion de los muertos [...] obra de las divinas letras y antiguos sabios colegida.*

the resemblance to da Costa's words ([1624].2.1) (or da Silva's citation of them in his chap. 8):

[...] *Alma do homem, pois, dizemos que é, e se chama o espírito da vida com que vive, o qual está no sangue, e com este espírito vive o homem, faz suas obras [...]* *E não há outra diferença entre a alma do bruto e a [alma] do homem que ser a do homem racional e a do bruto carecer de razão. No demais, nascer, viver e morrer, por tudo são iguais [...]*

is too close for coincidence.

Probably around 1639, when he translated Modena's *magen ve-sina* into Portuguese, *hakam* Mose Refael de Aguiar (? - 1679) wrote in that language a brief "Treatise on the immortality of the soul" which awaited publication until 1934.⁹⁸ It consists of 37 graceless scholastic syllogisms, consecutively numbered and dryly strung together.

Among the many contemporaneous works treating of the immortality of the soul, it seems that Uriel da Costa's is the only one to deny it outright. How ironic that his spirit should resurface from oblivion as it does in the ensuing pages.

⁹⁸ Cf. M. de Jong, "O 'Tratado da Imortalidade da Alma' de Moses Rephael de Aguiar," *Biblos*, 10, 1934, 488-499; A Martins, "Um inédito [sic] Judaico-Português de Amsterdam, 'Tratado da Imortalidade da Alma'," *Revista Portuguesa de Filosofia*, 5, 1950, 201-220.

EXAME

Das tradicoões Phari-

seas conferidas com á lei
escrita

Por

URIEL JURISTA HEBREO,

Com reposta a hum

SEMVEL DA SILVA

que faz offiçio de medico, seu
falso calumniador.



AMSTERDAM,

*Em casa de Paulo à Ravesteyn anno da
criação do Mundo 1384.*



1

Ao Leitor.



I Z I A. Iehosuah, e Caleb Num. 14.

falsa e danosa daquelles que falando contra Deos lhe atalhavao , e impediao seu bem; mas como os coracoés estavao affeicoados, e prezos ia da falsa informacao, nao

Ja nao forao ouvidos , mas estiverao a ponto de ser apedreados; so a gloria do Snor nao apparecerá logo para livralos. comecei eu a abrir a boca , e querer falar pella verdade da lei, estavao os coracoes inhabilitados para soportar : nao so nao fui ouvido, mas se Deos nao tirara ao povo as pedras da mao, e lhe negara o poder de iulgar , achara muitas pedras sobre mim. continuei a querer falar tomei trabalho, sobre escrever, e com forza quiz mostrar a verdade do que dizia. ensinoume o tempo que todo o que nisto gactasse seria perdido , e que nao era conveniente perseverar em querer dar bom conselho a quem o nao queria ouvir , e sobre isto pagava mal. recolhi os escritos , e nao os quiz publicar. Sahic neste meio tempo hum medico com hum tratado cheo de calumnia , que intitulo da immortalidade da alma, e assi por elle nao fiquar de todo sem alguma resposta ao muito que mereçe , como para mostrar a substantia do que digo aos que nao tem inteira noticia, e com isto desviar a falsa voz de homens maos

A 2

que

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Que calumniando querem defender sua injusta causa, me pareceo necessario fazer hum breve compendio de atyuaes confas, e polo diante aos que quizerem ser iuizes, para conforme elle, assi iulgarem, e não conforme ao que da boca apaixonada, e inimiga receberem. este he o intento, e como a tenção he abreviar vamos á substancia.

Os lugares allegados se notaõ a margem. o primeiro numero sinala o capitulo, o segundo o verso.

CAP.

C A P. I.

Proposicao.



Tradição, que se chama lei de boca, não he verdadeira tradição, nem teve principio com a lei.

Provasse primeiro: a tradição, que se chama lei de boca, he contraria á lei escrita, como pare-

cera pellos casos adiante referidos: dous contrarios não podem estar sem repugnancia, nem se pode dar verdade em ambos, logo a tradição repugnante á lei he necessario que seia falsa pois a lei he verdadeira.

2. Da lei não consta que outra declaração se desse a ella mais que a quella que na mesma lei se escreveo: se outra declaração se dera, não era possivel não se fazer della menção em alguma parte da lei: logo outra declaração não se deu.

3. Se a lei não podera ser entendida sem a declaração que ficou deboca, seguirseia que a lei era imperfeita, e não se deixava entender: na lei tal defeito se não ha de por, e della mesma he necessario que saia sua declaração, e não q fiquasse cometida á memoria,

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e cabeça alhea; logo a boa declâraçom que se tirar da lei basta para entender a lei.

Dent. 4. Ao Rei se encomenda que tresslade o li-
17.18. vro da lei, e se a trelle para guardar, e fazer to-
das as palavras, e estatutos alli escritos, e naom
lhe manda perguntar ao depositario da lei de
boca: logo a liçom da lei he que o ha de ensi-
nar, e naom a historia da cabeça.

5. Moseh escreveo na lei toda a declara-
caom que teve para dar: provaxe, porque de-
spois de estar com o Senhor em monte Sinai
os corenta dias em que dizẽ recebeu a decla-
Num. raçom de boca, perguntou ao mesmo Senhor
15.34. o que avia de fazer no caso daquelle homem
Num. que cortou no monte lenha em o dia do Sab-
27. e 1. bado, e outras vezes perguntou sobre as filhas
simo. de Selophchad: assi naom tinha Moseh recebi-
do outra declaraçom mais que a tinha escri-
ta como estes casos e outros publicaom. Em a
Dent. passagem do larden, em a terra de Moab quiz Mo-
1.5. seh declarar esta lei dizendo &c: o que mesmo
declarou, isto mesmo escreveo, e vai seguindo.

6. A declaraçom da lei, ou tradiçom nam
foi escrita quando a lei se escreveo: e assi era
necessario escrever a declaraçom sem a qual a
lei se nam podia entender, como escrever a
mesma lei, que sem declaraçom nam podia ser
entendida, ou seria inutil a escriptura da lei: lo-
go a tradiçom que nam foi escrita quando a lei
se escreveo nam teve principio com a lei.

7. Se pro-

Das tradições:

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7. Se prôva a proposiçam principal, porque contem em si impossibilidade poder puramente conservar-se a declaraçam da lei, escrita em tantos cadernos do talmud, e passar de boca em boca quasi dous mil annos despois da data della ate o tempo que se acabou o talmud, que se chamou talmud Babilonico.

8. Por que no tempo dos iuizes o povo se se apartou do direito caminho, e cada hum, como diz o texto, o bom em seus o lhos fazia: e no tempo dos Reis se perdeu o livro da lei, que como cousa nova, e esquecida se leu nas orelhas do povo, e entam se celebrou a Paschoa dos as mos sendo cousa tam vulgar, e trialhada: assi sobre impossivel era, poder conservar-se a declaraçam daquella lei, que tam mal se guardava, e cuia memoria nam avia.

9. Por que se agora acontecesse perder-se o talmud, seria impossivel tornar-se a escrever á declaraçam da lei que nelle se contém, com todo o estudo que agora ha no mesmo talmud, com que cada dia se refresca a memoria, o que nam era antes de elle ser escrito: assi muito menos poderia algum daquelles homens conservar inteiramente na memoria a declaraçam da lei que avia ouvido para fazer boa, e perfeita entrega ao que seguisse despois delle.

10. Por que se fora verdadeiro o que se diz, que a declaraçam da lei recebida com ella em monte Sinai ficou de cabeça para se coti-

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nuar nos vindouros de boca em boca, se seguiria hum absurdo intoleravel em desprezo da fé que se deve á lei escrita; por que se seguiria que a cada hum daquelles homens que foraõ depositarios da lei de boca se daria, e devia dar tanto credito como se deu ao mesmo Moseh aprovado, e iustificado com testemunho de Deos vivo ante hum povo inteiro, e cada hum delles por si em cada idade ficava sendo novo legislador. e he taõ grande absurdo este, taõ intoleravel, e fora de caminho que so bastava para confundir, e fazer envergonhar os authores, e defensores deste mau erro, e crença.

11. Se prova por que aquelles por quem foi esta declaração escrita, se levantaraõ huns empos outros em diferentes tempos, e os derradeiros acrescënteraõ o que lhes pareceo faltou aos primeiros; no que se convençe naõ ser tradiçãõ aquillo que escreveraõ, por que se tradiçãõ fora, devia tela o primeiro, e estar primeiro nelle, e naõ podia passar ao segundo se naõ por elle. escreveo pois cada hum sobre a declaração da lei aquillo que lhe paraceo, e quiz escrever.

12. Se prova pella contradichãõ que ouve entre os mesmos mestres, e sabios no tempo em que começaraõ os bandos, e discordias sobre quererem alguns introduzir esta lei de boca, e dala por declaração da lei escrita, vendo

Das tradições.

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vendo que doutra maneira não podião emendar a lei naquella parte dos iuizos que quizerão emendar por lhes paraçerem duros, e entendendo que também lhes vinha mais a conto para dominar, e fogueitar o povo a suas ordens, e regimentos, e aconteçeo desta maneira segundo sua mesma relação. Esdras entregou a lei de boca a Simeão o iusto sacerdote grande: delle recebeu Antigono seu discipulo com seus companheiros, dos quais foraão Sadok, e Bethus, cabeças dos hereges, como elles lhes chamaão. Mostra-se pois por esta relação, que este Antigono com alguns mais quizerão novamente introduzir esta invenção de lei de boca, e logo lhes foraão partes Sadok, e Bethus seus contemporaneos, e de então se continuou a divisaão, seguindo a estes a parte do povo mais principal, entendida, e nobre, posto que mui desigual em numero, e aos outros o mais comum, e geral levados de doutrinas que em suas pregaçoens mixturavam, immortalidade da alma brandura nos iuizos, a que o comum dos homens facilmente se inclina, por ser a immortalidade bem que se deseja, e a natureza inclinar mais a misericordia, e piadade que ao rigor da justiça. As mesmas contradições se acha que ouve depois em diferentes tempos, por que, como elles dizem, Semaia, e Abtalion entregaraão a lei de boca a Hillel, e Samai: estes tiveraão infinito numero de

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Exame

ro de discípulos , e em seu tempo cresceram os çismas , e a lei foi feita como duas leis. Da qui vem acharse cada passo nos livros do talmud , a casa de Hillel diz assi , e a casa de Samai diz assi , cada hum o contrario do que o outro diz. Mas nem esta contrariedade he de algum momento ante os anthores , e defensores deste erro , pois nam duvidam dizer , e escrever que quando dous Rabbinos contendem entre si , e hum dizer diferente do que o outro diz , ninguem tem licenca para contradizer a algum delles , por que cada hum soube por que assi avia de falar , e assi o recebeu per tradiçam de Moseh, e as palavras de hum, e de outro sam palavras de Deos vivo. De maneira que Moseh falou por duas bocas , e tambem Deos vivo fala contrariedades.

13. Se prova por que na ordem das entregas se acha mentira , e falsidade , por que dizem: Iehosuah entregou a Pinchas, Pinchas a Heli, e he falso dizer que Pinchas entregou a Heli, por que Heli nam succedo a Pinchas, antes lhe succedeo seu filho Abisuah , a Abisuah Bucchi, a Bucchi Huzzi como consta do livro primeiro das palavras dos dias : E assi he veracidadeiro o testemunho de Iosepho no livro S. das antiguidades cap. 12. em quâto diz que a Pinchas succedeo Abiezer (este he Abisuah mudado o vocabulo) a Abiezer Bozi : a Bozi Ozi: a Ozi Heli. assi que entre Heli, e Pinchas
ouve

Das tradiçõs.

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ouve tres que fizeram officio de Sacerdotes por onde he falso dizer que Pinchas entregou a Heli, o qual nam vio, nem conheceo. Mas allude este conto a outro fabuloso, que conta que Pinchas viveo doze gerações, que se contam ate o tempo de Eliahu, e Eliahu era Pinchas, o qual por ventura ao diante meteremos para confirmaçam deste fundamento, posto que a causa he mais digna de riso que de se por es questam.

14. Por que se a tradiçam era necessária, como dizem, para que a lei tivesse certa declaração, e nam fiquasse disposta a poder ser mal entendida, dando cada hum seu parecer; tambem era necessário que esta tradiçam fosse geral em todos os casos: Mas eis que isto assi não he, e ficou lugar a diferentes opinioes, e disputas em casos mais duvidosos do que sam aquelles que a tradiçam mal declara: logo mal se oppoem este achaque, e bem se mostra a tençam de quem com elle se quer ajudar: ou diremos que as tradições foram mancadas, e curtas naquillo que mais neçessidade tinha de ser declarado.

Ultimo se prova pella lei, a qual da por causa de todos os males, e longos castigos a reprovacam, e quebrantamento do concerto escrito com continuacam, e perseverancia neste desvio como larga, e claramente se mostra no capitulo 26. do Levirico por todo,
e par.

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Exame

e particu armente no verso. *Por quanto, e por quanto em meus iuizos reprovavao, e meus decretos abominou sua alma.* e para çessarem os males, e virem os bens he neçessario aver satisfação, e emends naquella parte em que a lei está of-
Dent. fendida como se le : *Se obedeceres á voz do Sn̄or*
30.10. *Deos teu guardando seus preçeitos, e seus estatutos os escritos no livro desta lei.* os escritos no livro da lei diz, e nam os escritos no talmud com o mais que alli segue : *Por que o preçeito este que eu te encomendo hoie nam escondido de ti, &c.* A mesma accusaçam fazem os profetas, e se queixam do conçoerto baldado, mudança dos iuizos, e estatutos, escriptura falsa feita pellos sabios, guarda de mandamentos de homens,
Im. e naõ dos mandamentos divinos. *Como dir eis*
3.1. *sabios nos, e a lei do Sn̄or com nosco? de verdade em vao escreveo a pena, falsidade do escrivam.* foram envergonhados os Sabios, forao quebrantados, forao enlacados : *eis em a palavra do Sn̄or reprovaram, e sabedoria que a elles?* E no cap. 31. diz o mesmo profeta que por que Israel baldou o conçoerto escrito em papel, faria o Sn̄or com elle outro escrito no coracam para nam o poder baldar com falsa doutrina. E Iechezchel diz:
Cap. *Emudou meus iuizos em impiedade mais que as*
16. *gentes, e meus estatutos mais que as terras que estão em seus arredores.* E sam infinitos os lugares que se achão em confirmação desta verdade abertos a quem quizer velos se he que nam tem

Das tradições.

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tem tevea nos olhos.

Temos postos os fundamentos que bafião para provar a propofição que tomamos , fe agora poferamos as refpoftas dos contrarios, e os fundamentos em que elles fe fundam , e lhes responderamos , realçara muito mais a verdade que poſemos; mas como não ſe pode méter em quatro folhas de papel o que eſtava eſcrito em ſincoenta , e o propoſito he ia outro, dando de mão a tudo', vamos ſomente a ſeguir os caſos com que ſe prova o primeiro, e principal fundamento de noſſa propoſição

Cap. 2. Sobre o caſo da lei como ſe deve executar a pena na que der macula em ſeu companheiro.

NO cap. 24. do Levitico ſe le deſta maneira. *E varam quando der macula em ſeu proximo . conforme ao que fez aſſi ſe fará a elle. quebradura por quebradura, olho por olho, dente por dente. conforme á macula que der em homem aſſi ſerá dado nelle.* Entra a tradição na declaração deſte caſo , e diz que o que a tal macula der, naom ha de ſer apenado em outra igoa, mas ſomente multado em alguma pena de dinheiro. provamos a falſidade da tradiçam.

1. : Pello lugar da lei referido expreſſo , e claro , que nam reçebe , nem pode reçoer outra declaração , e ſer levado a pena de dinheiro

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Exame

nheiro se bem , e verdadeiramente se quizer construir, e entender. *Conforme a macula que der em seu companheiro, assi sera dado nelle.* Perguntamos que he o que ha de ser dado? outra macula : por que macula he o que fica tras que elle deu, e alli se refere o que segue : *assi sera dado nelle* : a mesma macula sera dado nelle. Mais se deve notar a palavra , nelle , que incluye, e envolve a mesma pessoa de delinquente, e nelle, e nam em fazenda sua manda executar o castigo, passa a lei mais adiante, e nam contente com tudo o que avia dito ajunta para mais declarar-se , e manifestar sua tençam exemplos com que a cousa finala : *olho por olho. dente por dente.* E nam fiquavam os exemplos verdadeiros se por hum olho se aviam dedar dez, ou vinte cruzados , nem a lei fez estimaçam dos olhos. Confirma-se a disposiçam da lei neste lugar por outro caso da mesma lei sobre o que testemunhou falsamente contra varam, e manda a lei que façam ao falsario o mesmo que cuidou fazer a seu irmaom : alma por alma, olho por olho. E se ouyessemos de dizer que o mal que o falsario quiz dar se compensaria com dinheiro, tãbem a morte se compensaria com dinheiro; o que nem os contrarios dizem ; antes confessam q o falsario ha de morrer. pois se pella morte que com o testemunho quiz dar ha de morrer , tambem nos outros casos pagará com pena corporal igual ao dano,

Das tradições.

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dano, conforme a lei pede a paga, e nam satisfará com dinheiro.

2. Quando do douts entre si baralharam, *Exad.* e hum ferio ao outro sem macula, dispoem a ^{21.} lei que o delinquente page os gastos da cura, e perda do tempo que o doente deixou de trabalhar. E se a lei quizerá no caso de macula contentarse com pena de dinheiro, falara da mesma maneira que falou ne caso acima, e á cura dadoença, e cessaçam do trabalho que alli mandava pagar; aiuntara mais çerta pena também de dinheiro, e pedira dez, ou vinte cruzados por hum olho, ou dente. Mas eis que a lei allí nam falou, e tudo remeteo a olhos, e dentes, pena totalmente corporal, e que nada têm de dinheiro, logo a pena de dinheiro he mui desigual, e disconforme para satisfazer vício corporal dado na pessoa, e totalmente alhea das palavras, e mente da lei, que a tal pena nam pedio.

3. Todas as vezes que a lei quiz multar em pena de dinheiro, ou çerta, ou cometida á vontade da parte, logo fez mençam da tal pena, como se ve por todos os casos nella espalhados: no caso presente nenhuma memoria fez de pena tal, mas passou adiante, logo nós a nam devemos fazer.

4 O que

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Exame

- 4. O que tirar hum olho, ou dente ao seu escravo he obrigado a lhe dar liberdade pello tal olho, ou dente: A liberdade val mais do que val a pena de dinheiro em que hum pode ser condemnado por tirar hum dente a outro livre: logo a pena de dinheiro não he bastante satisfação entre livres para pagar olho, ou dente tirado, pois o nam he entre o servo, e seu snor.

5. E nam val para nada dizer que o snor he mandado dar liberdade ao servo pella deshumanidade, e por que elle nam he capaz de receber dinheiro, por que nam pella deshumanidade, mas pella deformidade he o Snor mandado dar liberdade (*mandado a dar livre pello seu olho*) que aliás lhe dara tanto acoore que o ponha a risco de morrer (mal fez) e nem por isso lhe dara liberdade sendo muito maior deshumanidade do que he acertar de lhe tirar hum dente com uma pushada. Equando bem fosse pella deshumanidade: (que não he) nada ata esta resposta, sobre que nam gastaremos mais tempo. A outra rezam também nam presta, e o servo he capaz de receber dinheiro, e far delle como quizer se o Snor lhe for devedor de dinheiro.

6. A rezam, e igualdade natural esta mostrando que a paga ha de ser igual com a divida, ou nam seria a paga justa, porque a justiça se funda em igualdade: O que tirou hum
olho

Das tradições.

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olho a seu companheiro he devedor de outro olho, e nam tem igual estimaçam com que pague, nem a lei, ou rezam estimou a valia dos olhos : logo com outro olho que he a valia que se acha igual, ha de ser a paga feita, como a vida se ha de pagar com outra vida, e nam ha estimaçam das vidas.

6. A lei divina he tam inteira, justa, e direita que nam se dará algũ caso em que peça menos satisfaçam daquella que for devida, antes se daram muitos em que castiga alem daquillo em que se peccou, para que o que cresce fique em lugar de pena do delicto. Exemplo no que furtou hum boi, que será condenado em cinco, e outros muitos casos, em que exerce de em abominaçam do crime, e peccado, pedindo a vida com fogo, e pedras: pois como este seia o caminho da lei constante, e firme, mal podia o que tirou hum olho a seu companheiro, viçio perpetuo, pagar semelhante dano com dinheiro, tendo outro olho com que pagar, pena nam proporcionada ao tal dano, que sendo puramente corporal, nam tem paga mais igoal.

7. A tençam da lei, e seus juizos nam só foi castigar os crimes com igoaldade, mas com esse castigo posto diante desviar os homens delles, e assi conservar a Republica pacifica, e segura de males. Este fim nam se podia seguir quando o criminoso que cortou membro a seu companheiro, ouvesse de pagar este dano com cer-

B ta pena

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Exame

ta pena de dinheiro , e nos olhos de qualquer vingativo seria cousa de riso a tal pena para deixar de fazer sua ma vontade: logo outra he neçessario que fosse a pena , e outra he a que a lei pos, e devia por

8. A molher que pegou na parte do homem por livrar a seu marido do mais poderoso , tem pena de mão cortada sem respeito algum a piedade , e neçessidade. Muito maior dano traz sem capa alguma para poder escusar-se cortar hum homem a maom ao outro: logo o iuizo da lei neste caso nam tinha rezam para ser mais brando que no outro, e cõtentarse com a leve pena de dinheiro. Assim fica por tudo a rezam da lei em sua força contra a falsidade da tradiçam.

Nam dizemos que se hum luitou com outro, e dando com elle no chaom lhe desmêtio hum osso, ou lhe fez huma corcova nas costas, lhe haõ de fazer outra corcova, por que averá mister muito estudo para adquirir esta sçiençia de fazer corcovados, tratamos de olho, dente. mão, dedo cortado, e em diferentes casos se responderá diferentemente.

Cap.3. Sobre o iuizo do homem que matou outro por vontade.

Exod.
21.12.

O que ferir varam , e morrer , morrer morrerá. E o que não armou treição. Mas Deos o fez encontrar em sua mão , e porei a ti lugar para onde fugira, e quando se ensoberbeçer varão contra seu

Das tradições.

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*seu companheiro para matar a elle em astúcia, da
 com o men altar to maras a elle para morrer. Em
 declaraçam desta lei diz a tradicam que o que
 matar homem por vóntade nam ha de morrer
 salvo em caso que quando batalhava, ou lida-
 va com o morto, ouve quem se lhe pos diante
 lembrandolhe, e requerendolhe que nam ma-
 tasse: tradiçam mais do que se pode dizer ini-
 miga da paz, e quietaçam publica, fomenta-
 dora, e mai de todas os males.*

Conforme a disposição da lei Divina, e con-
 forme a lei natural, e boa rezam, nam samente
 se mostra ser sonbo esta solenidade que os in-
 ventores pediram para ficar culpado o mata-
 dor, mas inda fica muito para examinar em
 que termos se aia de conçeder poder matar
 em defeza do inimigo, e como se aia de dar ao
 matador livramento, por que a lei nam refer-
 vou caso algum em que escusasse de morte ao
 que matou salvo no homiçidio casual, que a-
 conteçe sem vontade da pessoa: e he o homi-
 çidio cousa mui odiosa, e abominada pella lei,
 em que se nam ha de dar largeza. Sendo pois
 isto así, nos que por lei expressa nam temos
 que he livre o matador que matou outro que
 o cometeo, e se lhe conçedemos livramento,
 he samente por que a rezam natural persuade
 que he lícito a qualquer homem defendetse
 de outro que o cometer, e quizer lidar com
 elle: convem que com muito acordo exami-

B 2

nemos

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Exame

Exodo.
22.

nemos primeiro qual se aia de chamar neçes-
faria defeza : se sera neçessario receber com
huã espada ao que vier com huã vara na mão:
se ha tambem de feza em hum se retirar, e des-
viar do outro, ou he neçessario que tudo as ar-
mas determinem , e se aiaom de guardar na-
paz civil as leis que na guerra com o inimigo
se praticam, podendo por outro modo menos
perjudicial das viar o perigo ; que he o que a
lei sempre quer , conforme ao caso quando o
ladram foi morto de noite abrindo cova na
casa para entrar nella, no qual caso a lei escusa
de morte ao dono da casa por acontecer a
cousa de noite ; por em se aconteçesse de dia
era o tal hom em culpado em sangue: por que
bastava dar vozes , a juntar gente , è nam quiz
a lei que se tomassem armas contra o ladram,
resistencia desigual a sua força, que so na noi-
te se concedia por falta de outra mais leve,
e pello temor que o dono da casa poderia ter
de que entrando o ladram dentro o mataffe, e
tambem por que a noite nam da lugar a se fa-
zerem as cousas com o resguaado que de dia
se podem fazer. Assi que , como dize mos , se
deve bem pezar , como , e em que termos he
licita a defeza feita com armas com nota vel
offensado inimigo , e com muita considera-
cam se ha de caminhar neste caso , o que as
leis humanas raçio naes bem conheçeram , e
assi pedem que o que for cometido se retire,
e faça

Das tradicoes.

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e faça seus requeri mentos ao aggressor para que o deixe em paz, e quando nada bastar pos- ta endi reitar a espada, e defenderse, inda que entre a defeza se liga sua offensa. Mas as pir- dosas, ou impias, e venent osas tradicoes sam singulares, por iso nam he muíro que nam a- chem companhia, e diga o Sñor pella sua gen- te, e sua çidade : *E mudon meus inixos em im- piedade mais que as gentes, e meus estatutos mais que as terras que em seus arredores: e por iso mes- mo: ai da cidade de sangues: tambem eu farei huã grande fogueira, &c.* Iech. 5.6. Iech. 14.7.

Cap. 4. Sobre o caso do boi que acor- neou homem.

E Quando acornear boi varaõ, ou molher, e mor- rer, apedrejar será apedrejado o boi, e não se comerá sua carne, e o sñor do boi será inoçente. E se o boi, acor neador elle: des de ontem, o ante ontem, e for contestado a seu sñor, e não o guardar, e matar varaõ, ou molher, o boi será apedrejado, e tambem seu Sñor morrerá. Se expiacaõ for posta sobre elle, e dará redempcaõ de sua alma canforme a tudo o que for posto sobre elle. Em declaracam desta lei diz a falsificacam que de ne nhuã maneira, e em ne nhum caso ha de morrer o dono do boi acor- neador, que matou homem, inda que lhe fos- se protestado hum çento de vezes que o guar- dasse, Sua falsidade he manifesta, e se prova.

1. A lei expressamente manda que o dono

B 3

do boi

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Exame

do boi protestado morra, e fomite o escapa da morte quando aquelle a quem toca a vingança do sangue lhe conceda redempção: logo fo uos ditos termos o tal homem he livre de morrer, e doutra maneira não.

2. Se a lei quizerá livrar em tal caso este homem da morte com dinheiro, ella mesma pedira dinheiro, e finalara a contia delle, assi como pedio, e finalou em caso que o boi matasse servo, ou serva: A lei assi não fez, mas pedio a vida, e só com consentimento da parte mudou a pena em dinheiro: logo a disposição da lei primeira não foi pedir dinheiro, nem o dinheiro pede satisfazer neste caso fora dos termos em que ella o concede.

3. Se o dono do boi em nenhum caso avia de morrer não tinha a lei para que fazer dous membros, hum, quando o dono não foi protestado, em que o iulga por livre: outro, quando foi protestado, em que o condena, e diz que morra.

4. O que da causa ao mal, he contado como author, e obrador do mesmo mal (consta da lei pello juizo daquelle que abrio cova, e a não cubrio, e caio nella boi alheo, o qual he condenado a pagar o boi a seu dono como se mesmo o matara:) o dono do boi requerido para o guardar, e o não fez, foi causador da morte que o dito boi não guardado deu, logo como obrador da mesma morte ha de ser contado,

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ado, e como tal ha de ser iulgado.

5. A justiça pede que o seu se de a seu dono, e o que peccou contra seu proximo direita, ou indireitamente, fez mal, ou o causou, satisfaça conforme ao em que peccou : A lei he justa, e não torçe do direito em periuizo de parte sem consentimento da mesma parte; logo o dono protestado do boi matador, devedor do sangue que o seu boi derramou por culpa sua, não pode ser perdoado sem consentimento da parte, e so com elle lhe concedeo a lei redempção, respeitando não ser directamente matador, que alias lhe não concedera, in da que a parte perdoara sete vezes,

Cap. 5. Sobre o juizo do que tomou filha, e mãe por mulher, e filha do sacerdote profana.

E o homem que tomar mulher, e sua filha, malda- Levi.
de ella : em fogo arderão a elle, e a ellas, e não 20.14.
averá maldade em o meio de vos. E a filha do ho- Cap.
mem sacerdote quando começar a fornicar, a seu 21.2.
pai ella contamina, em fogo será ardida. Em de-
claração, ou corrupção destas leis diz a tradi-
ção que de nenhuã maneira estes criminosos
profanos haõ de ser ardidos em fogo, por que
não he bem se vse assi com os homens, mas a-
tarlhe haõ huã toalha na garganta, e puxaraõ
por ella ate que o culpado abra a boca, e co-
mo a tiver aberta lhe lançaraõ huã colher de

B 4 chumbo

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Exame

chumbo quente, e assi fica ardido em fogo. A tal tradiçam he falsa como se ve, e injuriosa contra a justiça divina, porque a nota de cruel, e com capa de danosa piadade muda seus juizos neste, e em todos os casos. prova-se a falsidade.

1. Por que a palavra, fogo, de que a lei usa, denota, e importa fogo material, aparelhado para gastar, e consumir, e nam cousa alguma outra por ardente, e quente que seja. da qui vem que aquella offerta que se fazia ao Sñor, e se consumia no fogo, tomava o nome da mesma raiz Hebraica, com que o fogo se nomea. outro si o verbo, arder, importa ardedura que se faz com fogo, e nam se dá arder em fogo sem que se consuma a cousa ardida. por isto disse Moiseh, *Volvermehei agora, e verei a visam grande esta, porque não arde a meta.* Por que nam arde do modo que se costuma arder, consumindose a cousa ardida. A qni nos contam os traditores (outro nome lhes cabe melhor) huã historia, e dizem que os filhos de Aharon ficaram com os corpos inteiros da ardedura que fez o Sñor, e assi bem se pode arder hum homem sem lhe queimar o corpo. nos lhes respondemos que se elles tem virtude para meter hum homem no fogo sem lhe offender o corpo, façam assi, e nam se nos dará muito que o corpo se gaste, ou deixe de gastar. porem se elles para deixar o corpo inteiro ham de desviar

Das tradicoes.

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viar o fogo delle, e por lho de longe, para que nos contam milagres que só Deos pode fazer?

2. Se prova, por que fora a lei imperfeitissima, e merecia culpada de mal escrita se tam notavelmente trocara as palauras, è em lugar de mandar que o culpado morresse com chumbo derretido lançado pella boca; como manda apedreiar com pedras, o mandasse arder em fogo, palauras que nada tem de chumbo, nem de escaldadura de chumbo.

3 Por que he modo extraordinario de morte, exquisito, e estudado, que a lei nam conhece, esta curiosidade invençionada de chumbo, e nella se nam acham semelhantes curiosidades para matar, mas os modos mais comuns, e ordinarios.

4. Por que se bem se nota, o culpado nam morria por rezam da quentura que levava o chumbo, mas por rezam da toallia com que o afogavam, e lhe faziam abrir a boca, e assi quando vinha o chumbo ja estava afogado; cerimonia falsa para enganar o povo, e poder meter lhe na cabeça que a morte se dava com cousa que se aqueitou ao fogo, e os filhos de Aharon ficaram inteiros da ardedura que fez o Sñor. Por isto contra estas falsidades, e contra este falso fogo diz o mesmo Sñor. *Por que fogo esta* *Dent.*
açeso em minha ira, arderá até o baixo inferior e 32.22
perderá a terra, e sua produccaõ; com o mais que
alli segue.

B 5

Cap.

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*Exame**Cap. 6. Sobre a redempção da herdade vendida.*

NO *Levitico cap. 25*, Dispoem a lei que o necessitado que vendeo parte de sua herdade, alcançando despois dinheiro, possa tornar a remila da mão do comprador. Entra a tradição, e diz que não poderá remir com dinheiro que juntaſſe doutra herdade' que vendeo não tão boa como a que estava vendida: ~~mas~~ *bastará* qñalquer dinheiro para remir a herdade sanctificada.

Esta tradição he falsíssima, tiranna, e inimiga da pobreza. A lei he toda em favor do vendedor, e não lhe pos condição no dinheiro (achaque nunca ouvido.) com dinheiro de esmolas podia remir, ~~quão~~ *mais* com dinheiro de outra herdade, que vêdeo (mal para elle) *E quando não poder remir, sairá a herdade em o lobel*, e ficará a seu dono. assi que toda a lei he em favor do necessitado vendedor, e a tradição pello contrario sua inimiga em favor do rico comprador.

Levit
27.

A diferença que fazem entre o vendido, ou sanctificado, aliviando na redempção do sanctificado, tambem se mostra ser falsa; porque para remir a herdade sanctificada pede a lei que o dono ajunte mais o quinto de sua estimação, e para remir a vendida não pede que se ajunte

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ajunte mais ao preço porque foi vendida. assi que aggrava na redempção do fãctificado com a condição onerosa do quinto que accrescentou, e não alivia, como os traditores fazem; e he isto patente nas cousas sanctificadas por muitos lugares da lei.

Cap. 7. Sobre o juizo do que furtoou boi.

QUANDO furtar algum, boi, ou carnes- Exod. 22.
~~ro, e o matar, ou vender, pagar á cinco bois, por~~
~~hum boi, e quatro ovelhas por hua ovelha.~~ Esta he
a lei. conrra ella ensina a tradicao, que se o ladrao sanctificou o boi furtado, e despois o vendeo não pagara ao dono mais que dous bois. Duas fallidades abominaveis contem a tradicao. Huã em dizer que a Deos se podem sanctificar furtos. outra em diminuir com esta impia capa a condemnação ao ladrao.

A primeira se prova por que, o que não he dono da cousa, e a possue com tão injusto titulo como he o de furto, não pode passar em outrem o dominio que elle não tem. E assi como no voto não he valido o voto daquelle, que não tem vontade livre para se obrigar, salvo juntandose despois consentimento do superior, assi não será aceita, e do principio será nulla a offerta viciosa da ladrao sanctificador, que não era livre para poder sanctificar. Alem disto

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Exame

disto manda a lei que nam se possa offereçer animal em que ouuer viçio.e se he inhabil para se offereçer o que tem huã perna que brada, quanto mais o ferá o que procedeo de furto, como o he o preço da molher meritoria, que a lei manda se nam leve ao templo: como tambem manda a este ladram devoto que torne o seu a seu dono.

A segunda falsidade se prova, por que o dono do boi nunca perdeo seu direito, e se a offerta do ladram valeo, pagara çineo bois ao dono do boi, e pagará a sanctidade a offerta quelhe fez, por que duas vezes se o brigou, huã pella furto, e outra pella offerta.

2. Se o que diz a tradicam ouvesse defer, a lei fiquaria de fraudada de sua disposicam em favor do criminoso, e aos ladroës se dava capa para fugirem da 'pena com sanctificar os furtos, absurdo tam grande, e irracional que nam pode caber em homens.

3. Ou este boi sanctificado he da sanctidade, e ao sacerdote se haó de dar dous por ~~hum~~ em pena de se alhear despois de sanctificado: ou he do dono delle, e ao dono ha defer a paga feita. E eis que ao dono ha defer a paga feita, e a sanctidade nam ha de aver cousa alguã: logo de que fruto foi a sanctificão, e que trouxe a sanctidade, pois outra cousa nam vemos que ali viarse o ladraó da pena, e diminuir a condenacam? Ate onde se ha de estender a tortura

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a tortura de falsas lingoas em favor de todo o criminoso, e mau homem, e reprovacam dos divizos divinos?

Cap. 8. Sobre o uso dos tephilim.

O Uso dos tephilim he ab uso, e invencam de homens que mal entenderam, e declararam a lei, e como tal deve ser reprovado, e julgado.

1. Por que a lei não mandou fazer os taes tephilim, nem deu o modo de seu feitio, e não somente os nam mandou fazer, mas nem inda o nome lhe conhece, por que em toda ella não sam nom eados, e a traducção Castelhana não traduzio verdade. E se a lei quizera que tal coufa se fizesse, primeiro o ouvera de mǎdar, e dar o modo de seu feitio, como fez sobre o cicith, o qual mandou fazer, e declarou a cor que avia de ter, e o lugar onde se avia de por, e este costume observou sempre em todas as coufas que quiz se fizessem como por toda ella largamente se ve.

2. Por que os lugares donde se quer tirar mandamento dos rephilim foraõ ignorante, e indiscretamente entendidos dos expositores, por que a lingoagem da lei não he propria, mas trocada, como muitas vezes uella se usa, e assi se deve entender allegorica mente conforme a mente de quem fala. *E seraõ as pelantras Deus, estas, que en te enco mendo hoie sobre teu coração, &c, 6.*

E atalas

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Exame

E atalas has por final sobre tua mão, e será por frontaes entre teus olhos. Encomendava naquelle lugar o medianeiro da lei como bom, e sabio mestre ao povo a lembrança do amor divino, e para mais encareçidamente lha persuadir, começou no coração raiz dos pensamentos, e logo veio a lingua, e finalmente se aproveitou de hum modo de falar usado, e costumado no que muito se quer encomendar, e disse : assi te lembrarás destas palauras como que se as trouxeras por final na mão. e como cousa que sempre se traz diante dos olhos, que dando a vista nella não pode esquecer. prova-se claramente por outro lugar da lei que fala no mesmo sentido : *E será a ti por final sobre tua mão, e por lembrança entre teus olhos &c.* E logo abaixo, muda a lingoagem, e diz : *E será a ti por final sobre tua mão, e por frontaes entre teus olhos.* De maneira que huã vez diz que será por lembrança, outra, que será por frontaes, e não lhe aqerta sempre o nome, donde se mostra que o dizer que seia por frontaes, he dizer que seia por lembrança, e dizer que seia por lembrança, não he dizer que se escreva, e se encaixe em huã caixa, e esta caixa se traga atada na testa. este modo de falar allegorico, e forte usa a lei muitas vezes, assi chama ao povo duro de pescoço para mostrar sua muita porfia. Diz que quebrou o Sñor o jugo dos pescoços que o povo trazia no Egypto para melhor debuxar o pezo da servi-

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servidaõ. Que a terra prometida manava leite, e mel para mais exprimir sua grossura, e suavidade. tudo saõ allegorias (allegoria, por que todos entendaõ, se chama, quando huã cousa dizem as palavras, e outro he o sentido do que fala.) nos mesmos termos falou Selomoh: *Misericordia, everdade não te deixem: ataas sobre tuas gargantas, escreveas sobre as taboas de teu coracã.* *Prover. 3. e no* E nos cantares cap. 8. *Poem me como sello sobre teu coracã, como sello sobre teu braço.* *4. e 6. e 7.* Quer dizer, lembrate de mim. *Em minhas palmas te escrevi, teus muros diante de mim sempre.* *Lezah. 49. 16.* Bem lembrado estou de ti. Dizem os contrarios que o final he cousa real, e visivel, e não querem ver que a lingoagem da lei he trocada, e nam fala propriamente. també o sello he cousa real, e visivel, e com tudo nenhum sello real se encomenda que se ponha.

3. Se prova, por que contem em si indecência, inconveniência, impossibilidade andar o homem todo o dia com o braço atado, cativo, e embaraçado para todas suas obras naturaes, e servis, qual andaria trazendo aquelles laços, e impedimentos nelle, e na cabeça, como era necessário que trouxesse em todo tempo, ea lei nam deu, nem podia dar indecências taes, inconveniências, e impossibilidades.

4. Porque se o preçeito de atar tephilim, fora preçeito da lei, este preçeito obrigava em todos

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Exame

todos os dias, por que a lei sem exceiçam fallou. mas o uso este nam he, e nos sabbados, e festas he o povo des obrigado: logo a ordenaçam he toda de homens, ou contra a lei des-obrigaram o povo (nam metemos aqui sua ridicula repostta) mas se mostra que de homens he a ordenaçam.

5. Por que as regras que se dam sobre o feitio, e postura dos tephilim, todas sam regras erradas, e des encaminhadas, e nam sam regras da lei. Errada regra he, e chea de muita graça, dizer que o couro destas cascas, e encaixos, deve ser feito de bezerro, animal que se pode comer, por que assi se fica comprindo o lugar da lei: *Por que seia a lei do Sn̄or em tua boca.* Outro si he errada a que manda que a aradura do braço esquerdo se faça em parte que responda, e caia sobre o coraçam, por que desta maneira se fica comprindo a lei: *E se rão as palavras estas sobre teu coracam.* E assi por estas, e outras regras desatinadas se convenceu a seia a ordem, e feitio dos tephilim.

Exod.]
13.

6. Por que os Judeus chamados, Sadduceus, nam usaram, nem vřam o tal modo, e sam tam antigos os Sadduceus, que quando se soube o nome aos Phariseus se soube tambem a elles, e estes nomes se poseram na segunda casa para se conhecerem, e apartarem huns dos outros. Confirma pois o uso, e testemunho destes a verdade que pella lei se tira, e conde-

na o

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na o contratio supersticioso , errado abuso, nella mesma lei, como tal, reprovado.

Cap. 9. Sobre o feittio da çircunçisaõ, e abusos nella.

O Uso de fazer priah , he alheo da çircunçisaõ, prova-se

1. O verbo Hebraico de que a lei usou, significa , e importa , cortar ao redor , cortar diante , cortar de todo fora. Isto se faz com a simprez çircumçisam , e nam he necessario ajuntar, priah, que he dividir : logo a priah que despois de ia cortado o prepuçio se faz, he superflua, e impertinente, alhea da lei , e da çircumçisam.

2. O que no prepuçio he sobeio, e inutil, e faz o membro çerrado , só com a çircumçisam se lança fora, e a lei nam pedio, nem quiz que se abrisse , nem descobrisse mais , por que seria imperfeição , e demasia : logo a priah que esta demasia causa, e que a lei nam pedio, ia nam he filha da lei.

3. A lei nam manda fazer priah, e os Sadduceus nam usam fazer priah : logo o uso dos Phariseus sem lei, antes contra a força de suas palavras , e contra o uso dos Sadduceus , por abuso deve ser julgado , como o temos conhecido em outros casos expressos , que fazem diminuir geralmente sua verdade.

C

E se

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Exame

E se posseramos os fundamentos em que elles se fundam, cheos de erros, e vaidade, appareçera muito mais o que disemos.

He abuso supersticioso, e mau na circumçisam a cadeira, e mais apparato que se ordena para se assentar o profeta Eliahu, e tudo isto está fundado em huã fabula não digna de se escrever, nem de gastar o tempo nella.

Outro si he abuso torpe, e feo tomar o membro na boca para lhe chupar o sangue. E arezaõ que se dá em desculpa, que elle despois de circumçidado ia não he o que de antes era com huãs historias a este propósito não quero eu escrever, por que a mam nam pode levar a pena a fazelo. Tudo são supersticoes feas, aborreçidas do Sñor Deos, e lançadas.

Cap. 10. Sobre o Lulab.

Levit
23.

E Tomareis a vos em o dia primeiro fruto de arvore formosa, curvidades de palmas, &c. He falsa a tradiçãõ que se dá por declaraçãõ desta lei em quanto diz que aquise encomenda tomar hum çidram, que he fruto fermoso, e outros ramos de çertas arvores, e com elles na mam fazer movimenros, e remetedoras meneandoos. E Deos esta dizendo a quem taes iogos, e invençoẽs faz diante delle sem seu mandado, que se lhe tire das façes por que o não pode olhar, nem ver.

Provasse

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Prova-se a falsidade , por que consta da lei, que o fim para que estes ramos se mandaõ tomar, he para fazer com elles cabanas , e morar nellas : *Em cabanas morareis sete dias.* Com dizêr que morariaõ em cabanas sete dias, dise que os ramos eram para fazer as mesmas cabanas em que se avia de morar. e claro estava que não eraõ para fazer iogos , ou floreatos no ar. isto que pella lei bem seve , mandou Hezra ao povo que fizesse , quando lhe dise que fossem ao monte e trouxessem ramos de oliveira, pinho, murta, e outras para fazer cabanas como estava escrito. Assim que o que estava escrito, era que os ramos se aviaõ de tomar para fazer cabanas, e nam para florear. e as mesmas cabanas feitas de verdura alegre ajudavam a alegria da festa. E eis que para fazer as cabanas eraõ os ramos , ia logo nam eram para os trazer as costas, e esgrimir com elles.

*Livro
2.
cap. 8.*

2. Se mostra a falsidade , por que a lei nam diz que tomem fruto fermoso , mas fruto de arvore fermosa, assi que a arvore, e não o fruto pede fermosa, donde em vão se cansam em buscar çidroes por fruto fermoso.

O sentido da lei he , que ella manda tomar os ramos das arvores , e nam o fruto sem ramo , e quando dise que tomassem o fruto entendeo o ramo inteiro em que costuma estar o fruto : como quando diz : *E vio a mulher que Gen. 3.
boa a arvore para comer* : nam quiz dizer que a

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Exame

mesma arvore era boa para comer, mas o fructo da arvore era bom , e por todo entendeo aqui , parte. Da mesma maneira Hezra no lugar arras allegado , diz que tomassem folhas de oliveira, e folhas de pinheiro, folhas de murta : nam quer dizer que tomem só as folhas , que com as folhas boa casa se poderia armar , mas os ramos em que estam as folhas .

Arvore fermosa se chama com rezaõ a oliveira. *Oliveira folhuda formosa em fructo de formosura chamou o Sñor teu nome.* A ella se comparou David com a confiança que em Deos tinha posta : *E eu como oliveira reverdecida em a casa de Deos &c.* A ella offereçeraõ tambem as arvores o reinado , e tudo pella grossura de seu fructo , formosura grave , e continua verdura lhe he devido. Pella mesma oliveira entendeo Hezra que a lei falava , e assi ella he a primeira nomeada de que mandou cortar os ramos.

Tambem se não ha de entender que a cabana nam possa ser feita salvo com ramos de quatro arvores como os contrarios querem que o seu Lulab só deve ser feito do çidram, palma, murta, e salgeiro, por que a lei usou de palavras mais geraes, e debaixo de arvore fermosa , e espesa se entendem , e podem entender mais arvores, pinheiro, çipreste , arvores accomodadas para aquelle fim , por que podiaõ

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diaõ bem tapar , e conservar a verdura i por es-
paço de tempo , que tudo nas cabanas se de-
seia . assi Hezra usou de mais arvores, como se
ve, mas todas bem entendidas debaixo das pa-
lavras da lei.

A significacão destes ramos será , que a lei
nos quiz lembrar que os que confiaõ em o
Sñor , e fazem justiça , nunca se murcham,
nem secam , e mui convenientemente qua-
dram ramos de taes arvores naquellas caba-
nas , que representaõ huã soberana , e eterna
providencia de Deos vivo, que no deserto se-
quioso , e falto de mantimentos sustentou as
suas criaturas desamparadas de todo outro
abrigo , e que só de sua mam esperavam cada
dia o que aviaõ de comer. Por isto se compa-
ram os bons a arvore prantada junto das ago-
ras , que ordinariamente tem verdura , e os
maos a palha seca. *E será como arvore pranta-* Psal. i.
da sobre os ribeiros das agoas , que dará seu fructo
em seu tempo, e sua folha não cairá, &c. Isto pois
lembra a cabana endereçada para confirmar
ao homem na confiança em seu Deos , e isto
lembram os verdes ramos de arvores sempre
verdes, de que ella se compoem.

Ninguém se embarace com dizer a lei : *E*
tomareis a vos. Sam dativos vsados no Hebrai-
co , e val tanto como dizer , e vos tomareis.
Tõ ma agora a teu filho}, e anda a ti á terra do Mo-
riah. Quer dizer : e tu anda, ou andate. *Passai*

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Exame

Deut. *a vos o valle Zered.* Vos passai, passai vos o valle zered : e cada passo. Em declarar outros e trompeços não nos detemos por atalhar.

Cap. 11. Sobre o exame da carne que se ha de comer.

ENfina a tradicaõ que o animal enfermo da forfura , que nella tem certas maculas, ou por alguns fios está pegada nas ilhargas nam he bom para comer , e se deve por iulgar immundo , por que com estes sinaes he certo aver de morrer dentro de hum anno , espaço breve, que basta para ia se contar por morto. A tal tradiçaõ he falsa , por que a lei nam dá por immúdo o animal vivo, gordo, valente, e sam, nem mandou que o visitassem se era achacoso do figado: ao morto he que dá por immundo. bom está que pör taõ leves achaques se ouvesse a carne de lançaraos caens , ou pouco menos, e que na lei se ponhaõ difficuldades, e pezos que ella nam quiz por , e aos homens se dem occasioes de peccar, que nenhum lâçaria facilmente o seu animal a perder.

2. Se mostra a falsidade , por que os animaes que se levavaõ ao sacrificio sem macula exterior, des pois de degolados, sua carne era boa para se comer , e sanctificada (salvo fese dissem novos defatinos) logo muito melhor he para

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he para se comer a do animal que nam foi sanctificado.

3. O remedio de olhar as forsuras nam he bastante para desviar poderse comer animal que em breve aia de morrer, e assi em vam achado (se he força que aia de morrer dentro de hum anno hum boi doente do figado, ou bofe deixo aos medicos para disputarem)

*Cap. 12. Sobre o abuso de não comer
carne com leite.*

ENtre as provas que os authores da tradiçam costumam trazer para mostrar a necessidade que della se tem para declaração da lei, he, que sem a dita tradiçam nam se pode entender pella lei que he vedado comer carne com leite. assi que para provar a tradiçam, allegaõ, e trazem outra falsa tradiçam, e este he o seu estylo ordinario, e seguido.

Diz a lei : *Não cozinharás o cabrito no leite de sua mai.* Quem não ve que he sonho, e desvario tirar destas palavras que nam se pode comer carne com leite ? A qui se fala em filho, e se falsa em mai, e manda a lei que nam se peção aparelhos á mai para frigar, ou cozer nelles seu morto filho para despois comelo. Nem quiz que aquelle leite que lhe servio, e devia servir de sua sustentaçam, e alimento fosse in-

C 4 strumen-

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Exame

strumento de sua destruição, e ruína. He preceito semelhante ao outro que diz, que não se mate a mãe com o filho no mesmo dia. he semelhante ao que diz que não se cative a mãe com os filhos no ninho. Para lá caminha o outro, que o filho esteia com a mãe oito dias, e antes delles se lhe não possa tirar para sacrificio. He crueldade, e destruição que, como dizem, leva couro, e cabelo, matar a mãe, e matar os filhos, e muita fereza, e deshumanidade querer cozinhar o filho no leite de sua própria mãe. assi disse Jahacob quando temeo á vista de seu irmão : *Não venha, e mate a mim, e a mãe sobre os filhos.* Não lhe veio á lei ao pensamento vedar que não se comesse sobre a carne huã talhada de queijo, antes he a própria comida. E se ella quiz dizer isto, e em seu lugar mandou que o cabrito se não cozinhasse no leite da mãe, he necessário fazer outra escritura, e a esta podemos chamar errada, e mal escrita. E pois que assi não temos de dizer. mais conveniente será que a tradição seja falsa, como he, e o abuso fundado nella ridiculo, e supersticioso, ficando em seu vigor o estatuto da lei, de que se tira excellente doutrina, humanidade, e piedade, o que não he do fingido contrario.

Cap.

Das tradicoës.

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Cap. 13. Sobre a conta das luãs , e festas.

NO modo de contar as luãs nam tem os Phariseus nenhuã firmeza. por que huãs vezes começam o mes antes da conjunçam, outras na coninução, outras finalmente hum, e dous dias despois, como poderá ver quẽ quizer tomar na mão os lunarios de cada anno. E como estes modos de contar nam possaõ ser todos verdadeiros, e hum só se aia de observar ou conforme á conjunção ou conforme ao apparecimento , de força se segue que se huã conta foi çerta, a outra foi errada, e pello consequente as festas que desta conta dependem.

Aqui se metem huãs historias sobre huãs testemunhas que se tomavam sobre a vista da luã, outras de correos, outras de fogos que se faziam para avisar aos de longe , por que nas suas moradas nam se sabia quando era luã, sobre que nam he bem gastar tempo. Tudo sam fabulas , huãs contrarias as outras , em que se acham mil inconveniências , e impossiveis. Os instituidores destas varias ordẽs de contar, nam quizerã que as festas lhes caissem em çertos dias por inconveniẽtes seus que elles mesmos consideraram, e por istomeismo variaram no modo de contar as luãs. hora ma drugando, hora alongãdo, e esta he a verda deira verdade. E elles mesmos confessam, e dizẽ que pella lei tinham licença para afsi fazer, cousa tã alhea, e

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contraria a ella, que sinalou os meses, e os dias dos meses, e nenhuã cousa deixou arbitraria.

Que o apparecimento da luã se não ãia de esperar para contar o mes, se mostra, por que podia a luã não apparecer por impedimento de nuves, e assi passar o tempo de contar ; outro si o não apparecer a luã não tira que ella não seia ia outra , e nova , e assi nada curaremos do apparecimento , mas do tempo em que ella he nova. assi para contar os dias, pello curso do sol nos governamos , e inda que o sol nam appareça , nem por isto a conta dos dias, espera pello apparecimento do sol. No çeo anda , e se move , como a luã tambem. Dias partidos não se contam por dias, e assi se a luã foi hoie nova ao meio dia, claro está que hoie nam he o primeiro do mes , mas amanha , e esta he a conta direita. e de qualquer maneira que fosse , sempre era necessário que fosse huã. firme, e não variada.

Desta variedade no modo de contar as luãs segue o accrescentamento que se faz nos dias das festas celebrando dous por hum , e o ito por sete contra a prohibição da lei que nam quer que se aiunte , nem diminua a seus estatutos. Assi quando manda que se offereça hum carneiro cada manham, e tarde, hum he que se ha de offerecer naquelle sentido , e não dous. E se foi crime que mereço morte offerecer sa fumerio ao Sñor com diferente fogo , que elle

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elle nam mandou , por que nõ poderá ser ~~nao~~ mudar a ordem, e numero de seus dias sanctificados? Selomoh nam fez quatorze dias festa de cabanas. os sete primeiros foram voluntarios na dedicacão do altar. os ultimos sete de cabanas pello preceito da lei , como se ve no livro segundo das palavras dos dias cap. 7. E quando aysi fora, que não foi, hum exemplo nam se traz de hum caso que podesse acontecer por algum respeito , para com elle fazer lei. A verdade he que elles com dobrar os dias quizeraõ temperar a mudança das luãs , e ajuntaram hum erro a outro erro.

Cap. 14. Com alguns exemplos que se trazem em ajuda da tradição.

LA disemos que os authores da tradiçã trazẽ para sua justificaçã exemplos com que mais mostraõ sua falsidade (çegeira grãde) dos quais meteremos aqui alguns, em que mostraremos ser falsa sua declaracão, e por estes se poderam julgar os mais. Dizem assi.

Se quando a lei diz que o que entrar na vinha alhea possa comer quanto quizer, e o que en- *Deutr.*
trar no compo colha espigas com a mão , nam *23.24.*
tivessemos a tradiçã que declara que isto se entende no jornaleiro que entrou para trabalhar com o dono da vinha , ou campo , como em outra parte diz que nam se emboçe o boi *Deut.*
que trilhar na eira, aos homens lhe nam fiqua- *25.4.*
ria

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ria que comer , que vindimar , nem segar , e nam se ha de dar aos pobres tanta licença.

Esta declaração he falsa , ridicula , e inimiga da pobreza. He falsa , por que fala a lei nas entradas que se fazem nas vinhas,ou campos quando o dono nam está presente , e prohibe aos que entrarem poder levar uvas,e molhos para casa sopena de furto , mas concede poder comer quatro cachos de uvas. Assim que a lei he em favor do dono da vinha , posto que ao passageiro, ou pobre da alguã licença.

He ridicula , por que vem a dizer que a lei manda aos segadores que nam segem o pam com fouces,mas que com as maons colham as espigas. E que o que andou na vindima nam possa levar para casa na cesta alguns cachos de uvas inda que o dono esteia presente , é lhos veia levar. Em fim finge que a lei veo a dar regra aos vindimadores, e segadores.

He inimiga da pobreza , e geralmente de toda a humanidade , como se ve , pois nam quer que se possa estender a mam á vinha para comer dous cachos de uvas sem crime de furto, e diz (couza graciosa) que em espigas desfeitas na mam se consumiriam as novidades se se desse licença para comer espigas no campo.assim que esta he a tradiçam,e estas maravilhas descobre.

Segundo exemplo : A lei diz que os pais entraram

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entraram no Egypto com setenta almas, e por ella nam se acham mais que setenta e nove. ensina pois a tradicam que as setenta se enchem com huã filha de Dinah auida do manço violador.

Falsa, e torpe he a tradiçam. as setenta almas se acham, e contam com Iahacob que he o primeiro, e principal contado como era rezam que fosse, e nam que fiquasse de fora como querem os sonhadores. *E estes os nomes dos* *Cm.*
filhos de Israel que entraraõ em o Egypto, Jaha- *46.8.*
cob, e seus filhos. O primeiro contado he Jaha-
coba cabeça de todos, e com elle se faz a primeira soma de trinta e tres que o texto faz, onde elles dizem que nam acham mais que trinta e duas por que lançam fora ao mesmo Iahacob. Querem ai dar-se para seu commento do verso que diz : *todas as almas de seus* *v.15.*
filhos, e de suas filhas trinta e tres. E Leah nam teve mais que huã filha. era pois a neta filha de sua filha outra filha, e assi se fica verificando, dizem elles, a palavra no plural. O fundamento he tal como a declaraçam principal. Nam he inconveniente, antes lingoagem trilhada, e usada dizer que hum homem tem onze filhos, e filhas, inda que quando se venha a particularizar a cousa se lhe nam achem mais que dez filhos, e huã filha. E se elles quizerem ver, sem dar muitas passadas acharão no mesmo lugar exemplo de semelhante lingoagem

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lingo agem leam affima onde diz que veo Jahacob ao Egypto; e toda sua semente com elle, suas filhas, e as filhas de seus filhos. E em todos os filhos de Jahacob nam ouve mais que huá filha que com elles entrasse no Egypto, chamada, Serach, filha de Afer, como se ve no mesmo capitulo.

Terçeiro exemplo : não se pode entender pella lei o verso que diz, *Não saia varão de seu*
Exod. 16. 29. *lugar em o dia Setimo* : Por que huns podiaõ dizer que seu lugar era sua casa, outros sua çidade. E assi declara a tradiçãõ que este lugar se entende distançia de dous mil passos que se podem andar em Sabbat. Elles tem muita rezam em por tanta difficuldade no entendimẽto deste lugar, pois em fim ouve Judeus que differaõ que o homem não se podia mover em Sabbado do estado em que estivesse, e que ou estivesse deitado, ou assentado, ou em pé, nesse estado avia de ficar todo o dia.

Esta tradiçãõ he falsa, e o lugar da lei he claro como o sol para quem tiver olhos, e nenhuã neçessidade tem de que se contẽ historias para o entender. Nam diz a lei que o homem nam saia de sua casa em Sabbat, nẽ aqui lhe dá agora regras dos passos que pode andar ; diz que nam torne a sair para colher o man em o dia setimo contra a prohibiçãõ, que era aquillo mesmo que o povo mal avia feito como pare-
v. 27. çe do que fica atrás : *E foi em o dia setimo sairãõ*

Das tradições.

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raão do povo para colher. Assim que o lugar he claro, e patente, e nem por sombra fala no que se pode andar, ou veo para isto, nem o povo tinha feito alguma iornada sobre que fosse necessario dizerlhe que nam caminhasse mais.

E quanto o que elles dizem, que se podem andar tantos passos, que venhão a fazer quatro legoas : se o fazer jornada encontra a sanctificação do dia, cessação da obra, e repouso, mui larga licença he, poder andar quatro legoas em Sabbath, nem eu sei para que tantas legoas se aviam de andar por passatêpo. Que para ir folgar a huá quinta he este muito caminhar. Mas esta disputa nam entrava aqui, onde a lei nam veda o semprez andar, mas veda ir ao monte a colher man.

Quarto exemplo : nam se podia saber que palavras se avião de escrever nos postes da casa, e portas, se a tradiçam nam ensinara que co- *Dent.*
6. meçavam em. *ouve Israel*, e acabavam no fim, e em tuas portas.

Neste exemplo he a tradiçam; outro si falsa, e minineira em muitas partes. As palavras que se mandam escrever sã as que seguem: *Amarás ao Sñor Deos teu com todo teu coração, e com toda tua alma, e com toda tua força* : O mais que se ajunta: *E serão as palavras estas, &c.* He encomendar a lembrança das mesmas palavras, e dar modo para melhor lembrarem, dizendo que se escrevam nas portas, o qual modo

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do nam entra na escritura : *E escrevelas has sobre os postes de tua casa, e em tuas portas* : que he o que hei de escrever ? aquellas palavras que eu te encomendo hoie, a saber : *amarás ao Senhor Deus teu.*

He ridicula, sobre falsa, a tradição, em dizer que a tal escritura se deve fazer na porta da cozinha, e em todas quantas ouiver na casa; por que nem na porta da cozinha, nem em nenhuma que aia na casa, salvo nos postes da porta da rua encomenda a lei esta escritura : *e escrevelas has sobre os postes de tua casa*: O que segue : *e em tuas portas* : Se ha de entender pelas portas das cidades, que sam portas publicas, por que a palavra Hebraica, *Sabar*, nam se accomoda a qualquer porta; e a porta da casa tem seu nome particular, e nunca se dará que se chame, *Sabar*, fala pois a lei nos postes das casas que estão para a rua, e nas portas das cidades, e nestes lugares manda escrever as palavras referidas com letras grandes, legiveis, e claras, e nam manda que as metam em hum canudo enroladas, e empapeladas.

Temos postos os exemplos que bastam para bem se poder entender de que casta são os que os contrarios costumão trazer para persuadir necessidade da sua tradição, pellos quais se colhe que nam somête não declaraão a lei, mas ainda ajuntam novas fabulas, novos sonhos, mininições,

Das tradicoes.

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niniçes , parvoices com que descobrem maiores erros, e falsidades.

Outro si temos postos casos que bastam para prova , e confirmaçam da primeira proposiçaõ , pellos quais se ve ser a tradicam olho por olho contraria á lei escrita. Se agora aiuntarmos as respostas dos traditores, e lhes responderamos , fizera-se hum grande volume , e foram tantos os erros que se descobrião que trariam dor de coracam a quem antes os quer cubertos que descubertos, e nam deseia saber, nem ver a verdade ; amando mais morrer no deserto com os velhos rebeldes ouvindo aos muitos, posto que mentirosos , que entrar na terra prometida ouvindo aos poucos, obedientes a Deos, e verdadeiros. Ja logo nam queremos cançar sem fruto , nem trazerlhes esta dor: deixomo los antes em seu caminho , em que tam bem se acham, e vamos a receber, e reparar as feridas de hum mao , que sem ter com que poder offender , se atreveo a querer fazelo, e para dar primeiro notiçia sera conveniente dizer alguma couza.

Prefacio.

Ia nos he neçessario acudir a defender a propria honra, e tirala a salvo dos dentes daquella má besta q no principio nomeamos, a qual por entender comprazia á multidam, e fiquava bẽ reputado diãte della, naõ duvidou querer toma la nos dêtes, e ver se podia penetrala. A primeira

D dentada

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dentada que lhe quiz dar , parecendo lhe que dada esta, fiquava habilitado para dar todas as mais que quizesse , foi , escrever no prologo do seu tratado que elle, e os da sua companhia foraõ poderosos para nos fazer lançar da morada de huã çidade , aonde por alguns annos habitamos. Escritura por çerto desta vergonhada mais do que se pode dizer, e que não podia fair salvo de hum semelhante , que de honra sabe pouco , e a quem a malicia inclina a usar da baixeza natural.

Costume he , monstro fero , e abominavel, das çidades politicas , degradar , como tu dizes , os empestados , e por iso assenta bem o degredo em velhacos da tua casta , que querem encher , e alargar a barriga a custa de fazendas alheas , e estes he muito bem que tenham atrancadas as portas , e nam possam entrar nellas se não rebuçados ; mas os homens como eu nunca tem atrancadas as portas, entraõ , e saiem cada vez que lhes da prazer sem mascara , nem rebuço , por que não tem de quem temer-se. E se em lugar de lançar de si velhacos , as çidades os conservassem , e lançassem antes os bons , honrados , e honestos, não só não mereçeriaõ o nome de politicas, mas se chamariaõ com mais rezaõ covis de ladroẽs, e defensoras delles. Chegas desventurado a tal cegeira que andando por baixo dos pes, tributario, e servo nam conheçes teu estado,

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do , finges , e poens em ti o imperio de que Deos te tem privado. Ouerias obrigarme a que morasse toda a vida em huã terra aborrecida de mim , que nam tinha coufa que poder cobiçar, onde me detinha forçado, que desejava deixar todas as horas , e por que o nam quiz fazer dizes que me lançaste della? Cuidas mofoino espirito que em ti ha algum poder , e não entendes, nem ves que inda que arrebanthasses pellas ilhargas, como arrebentaste, nunca teu deseio pode ter comprimento se não quando eu lho quiz dar , e estava com o pe no estribo para o fazer ? Ia te esqueçe aquelle accordo quando te mandavaõ largar o lugar , as ignominias , as afrontas , e as pedradas com que nam podias andar pellas ruas ? Em fim tu te esqueçes por que de nada te envergonhas: passou essa trovoadá, e esperas pella outra que ha de vir.

Proseguindo no teu prologo me chamas hypocrita que com capa de fingidas virtudes, e modestia, trato de enlaçar homens, e corrompelos. O escura, e triste silva, fea, e ascosa morada de serpentes venenosas, e basiliscos: espirito falso, e amo finador.: toupeira cega que só serve de danar , e roer : que viste em mim que te movesse a dar-me nome que só a ti afenta bem, e he natural? fingirme nunca soube em nenhum estado , e em dizes que continuei tua companhia algum tempo com fingimento,

D 2

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gimento , mentes como costumas, por que nunca disse em publico , nã em particular diferente do que entam entendia, e o ser eu tam livre para falar verdades, foi occasiam de quererem os teus inquirir meus ditos. Dizia que nam querias nomearme por honra do sangue donde procedia. quando tu me naõ nomearas, entam ~~menomeara eu~~, e crescera nova honra a esse sangue, com se contar entre os filhos d'elle, homem tam amigo da verdade , tam livre para adizer, tam constante em a seguir , e que sabe confiar tanto em Deos quesó com esta confiança poem a proa a todos os contrastes, e tormentas.

Proseguindo mais dizia que a vista de minhas palavras deviam os bons ludeus rasgar vestiduras , como era costume fazer quando se ouvia blasfemar o nome Sancto do Snor, pois, quando menos , dizia , que todo Jsrael fazia culto estranho , que eu desejava destruir , como destruiu Ghidhon o altar de Bahal . Se quando teus pais idolatraram em hum bezerro (ó torpeza) foi blasfemia chamarlhes idolatras , ~~feia tambem~~ blasfemia dizerte agora que fazes o que Deos nam quer que faças, e que com falso culto, estranho, e alheio do que pede de ti , rompendo e deffazendo suas leis te chegas a seu servico . O mau que tanto estimas tua falsa reputacam, e dos teus, que di-

ZCS

Das tradições.

§ 3

zes que blasfemar dos teus maos feitos , he blasfemar do mesmo Deos . As vestiduras se devem com rezam rasgar , lingua de atorçedor, quando se te ve dizer o que escreves nesta tua torpe escriptura , que o entendimento humano nam tem limite em entender , epode entender em tudo o que entende Deos , e na essência do mesmo Deos; e outra vez que pode entender todo o criado , e incriado como o entende o mesmo Deos, ~~entam~~ limitas , no modo em que poder. Aqui se rasgem , peçonhento bicho , as vestiduras, pois por levantar a criatura finita , e limitada em todas suas operações , assi corporaes , como intellectuaes , vens a dizer taes desatinos que a metes no abismo da infinidade Divina , e queres que possa entender naquella incompreheusivel , tremenda essencia , tam escondida, e apartada de nos , que por isto se diz morar em a nuve, e espessura, por que nam ha entendimento humano que possa alcançala, e em chegando a querer por nella os olhos desse entendimento, logo se cobrem da nuve, e por mais que queiram limpalos , nunca ia se lhe pode tirar para poder ir por diante com a vista. tambem se rasgem vestiduras quando dizes que nam he vedado por lei poder se comer sangue humano ; que tal dito como este, tam iniurioso contra sua pureza, e perfeiçam , nam pode sair salvo de algum torpe fero, papagête.

D 3

mora-

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Exame

morador do mato , usado , e costumado a semelhantes ferezas , e tam grosseiro como tu , que tam mal entendes a lei como adiante te mostrarei. Com estas , e estas pois , e outras muito piores que nam cessas de lançar por tua disforme boca , se devem rasgar vestiduras , mas ninguém rasge as suas quando ouvir dizer ao mau que he mau ; ao idolatra , que idolatrou : ao injusto , perverso , supersticioso , que se apartou do caminho justo , direito , misterioso. E se bem he verdade que todas tuas cousas mereçião outra resposta , e ia algum tempo tive eu mãos com que pude bem enfrear outras bestas assi desbocadas como tu , sujeitando agora o pescoço a lei divina tratarei de curar com palavras as feridas iniurias da tua má lingua.

E tornando ao principio , este homem ouve as mãos alguns cadernos nossos que tratavam sobre a alma do homem , e mudando palavras lançou o que continhão em hum tratado seu , que nos apresentou diante com a resposta que nelle se podera ver. Leitor , que este leres , amigo , ou inimigo , seias prudente , e desapaixonado iuiz. Lembrate que quando o culpado se louva , e fala de si para lançar o defeito que mal se lhe quer por , nam se louva , mas defendese. Lembrate que se poem defeitos naquelle que o accusa , nam he por publicar defeitos alheos , mas para fazer saber a

con-

Das Tradicoes.

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condiçam do accusador , que mesmo serve a sua defeza. Lembrete finalmente que quanto o vicio he mais feo , e abominavel aos animos, e peitos honrados , tanto procuram com mais força desvialo , e empuxalo de si , quando as peçonhentas lingoas com falsidade os querem manchar , pondo nelles a fea , e abominavel nodoa que nelle se acha. com estas lembranças nam me desestimarás louvandome. Não me dirás que noto , notando. Não dirás que sou irado, irandome : mas tudo porás em seu lugar , e dirás que a tudo obriga a justa defeza , e que os mais sanctos , e os melhores nunca quizerão consentir em suas pessoas impostura de falsos crimes , e com toda a força os lançaraõ de si. Assim o fez Iahacob accusado de seu sogro Labao no modo que ves. Moseh arguido de se querer levantar com o senhoria, e mando usou com os arguidores da maneira que tambem ves. Assim se vires que com força me defendo , nao o estranhes , que sobre a honra lido , que eu muito estimo , e sobre empuxar o imposto vicio , que a pode manchar , e eu muito abomino. fio que serás prudente.

Como antes de entrar na resposta he necessario por o que elle vio de nossa mão sobre a alma. segue o primerio capitulo.

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Exame

Cap. 1. Que cousa feia a alma do homem, que a gera, se he mortal, ou pello contrario immortal.

PARA avermos de tratar sobre a mortalidade, ou immortalidade da alma do homem, he conveniente perguntar primeiro, que cousa feia a dita alma; mormente que alguns ignorantes quando a nomeam, parece que a figuram alguma donzela em corpo, como outros no las pintam saindo do purgatorio. Alma do homem, pois, dizemos que he, e se chama o espirito de vida com que vive, o qual está no sangue, e com este espirito vive o homem, faz suas obras, e se move, em quanto lhe dura, e não se extingue, faltando naturalmente, ou por outro caso violento tirado. E não ha outra differença entre a alma do bruto, e alma do homem, que ser a do homem racional, e a do bruto carecer de rezaõ; no de mais, nascer, viver, e morrer, por tudo sam iguais como diz Selomoh, e nam tem o homem vantagem do animal na duraçam, por que tudo vaidade. assi que a alma do animal he o seu sangue espirituado, como diz a lei, e nelle consiste, e esta a dita alma; da mesma maneira a alma do homem no sangue, espirito vital consiste.

*Ecl.
3.19.*

E sabido que temos que cousa se chame alma, perguntamos agora quem gera esta alma no corpo do homem. e respondemos que na
que-

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questam ha pouca duvida , e he tam claro co-
mo o sol gerar o homem a alma de outro ho-
mem por geracam natural da mesma maneira
que hum animal gera a alma de outro animal
semelhante a elle. assi que hum elefante gera
outro elefante tam prudente : a raposa outra
raposa tam sagaz: o cavalo outro cavalo tam
forte , obediente , e brioso. O homem pello
consequente gera outro homem racional co-
mo elle, e de coracam entendido, que he a di-
ferença com que do bruto se aparta, e nam ha
na materia sobre que duvidar. Doutra manei-
ra fora a geracam do homem manca, e imper-
feita contra a ordem. e instituiçam divina,
pella qual em virtude de sua palavra por meio
da semente posta em cada huã das criaturas,
todas geram seu semelhante , e assi se conser-
vam todas as especies, e multiplicam. E ao ho-
mem particularmente foi dito : *E bendise a el-* Gen.
les Deos, e dise a elles Deos : geraí multiplicaí, e 1.28.
enchei a terra. E por que o homem gera em to-
do seu semelhante , por iso diz a mesma escri-
tura : *E Adam viveo cento e trinta annos, e gerou* Gen.
á sua semelhanca, á sua imagem. Adam racional, 5.3.
e príncepe na terra sobre as criaturas gerou
filho á sua imagem, e semelhança em tudo per-
feito, sem que outrem interviesse na geraçam.
O mesmo diz selomoh quãdo diz que o nascer
do homẽ he semelhante ao nascer do animal,
e en fim a coufa careçe de toda a duvida , e

D 5 contra-

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contradição confirmada por rezaõ, e por lei.

Os que dizem que as almas são entes apartados do corpo, os quais Deos criou por junto, e tem postos como em celeiro, donde os manda meter nos ventres das preñhes; nam merecem ser ouvidos, e são estes os sonhos de satinos de alguns da vam gentildade, indig-nos de toda resposta, que inda agora seguem os Phariseus. Outros dizem que no ventre das mesmas preñhes por nova criação cria Deos estes entes, cousa tam bem maravilhosa, estranha de rezam, e lei. E os que esta opinião tomaram foi por não concederem ser a alma do homem mortal, como entendiam fiquava sendo, se fosse gerada por outro homem, e por aquelles meios naturaes que as almas dos animais são geradas. E como estes também por si nam tinham tezaõ, nem lei, que ajude seu pensamento, e fabricada adivinhação, nam ha para que gastar o tempo em referir suas rezões, e desfazer seus fracos, e caducos fundamentos.

Segue-se perguntar se a alma do homem he mortal, ou pello contrario immortal. E respondemos que do que precede se fica co-lhendo a resposta, e ser a dita alma mortal, pois dissemos que ella consistia no sangue, espirito vital, o qual primeiro morre, e se extingue no homem do que o mesmo homem morra, e não morrera o dito homem se o espirito vital, alma que

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ma que o anima nam faltara nelle. Provasse esta verdade natural, e apalpapa, por infinitos lugares da escriptura expressos, e claros, sobre os quais não ha tornar reposta.

E primeiro se prova, por que nam consta da lei que a alma do homem seia immortal, ou para ella esteia guardada outra vida, pena, ou gloria, e era totalmente impossivel não fazer a lei de tais cousas menção, por que nam costuma Deos encobrir ao homem o castigo, antes lho poem muitas vezes diante, para com o medo delle o desviar do mal, como por toda a lei se vé.

2. Se prova, por que disse Deos ao homem: *Em o dia que comeres da arvore, morrer morrerás.* Gen. 2.17. Logo o homem foi criado mortal, e fogeito a morrer: doutra maneira se sua condição fora immortal, essa immortalidade ouvera de ter vivendo em o corpo, animado espiritualmente com o espirito que Deos lhe inspirou, mas nam devia morrer. Outro si lhe disse Deos: *poo tu, e em poo ferás tornado: com que manifestou ao homem seu fim, e lhe fez saber que posto que creatura tão principal, seus dias teriam numero, e ao que de antes foi, a isto mesmo tornaria.* Gen. 3.19.

3. Se prova, por que os Pais nam atenderam a outra vida, nem trataram dos bens della, como se nota de suas palavras. Por que dizendo o Señor a Abraham que seu premio seria

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louvar a Deos. *Nam os mortos louvaram ao Psal.*
Sñor , nem todos os que descem ao silencio. E ^{115.}
nos (nos que vivemos) benedizemos a Iah.
 Por iso nestes , e outros lugares semelhantes , que cada passo se achão , se argumen-
 ta da vaidade , e miseria da vida humana pa-
 ra obrigar a Deos a misericordia , e com-
 paixam de creatura tam caduca , e tam pou-
 co duradeira : *E is de palmos poseste os meus dias, Psal.*
e o meu tempo como nada diante de ti ; de verda- ^{39.}
de tudo vaidade , todo o homem que está. De ver-
dade como sombra passa o homem , &c. Ouve mi-
nha oração Sñor , e meu clamor , atenta a mi-
nhas lagrimas não desvies a orelha por que pere-
grino eu contigo : iornaleiro como todos meus pas-
sados. desvia de mim (levanta de mim teu casti-
go) e enforteçermehei antes que va , e não eu. E
 em outra parte : *E elle misericordioso será pro- Psal.*
picio sobre a maldade , e não deperderá. e multi- ^{78.}
plicará para desviar sua ira , e não esportará to- ^{v.38.}
da sua sanha. E lembrouse que carne elles , ven-
to que passá , e não tornará. E Iiob dizia : meus Iiob
dias forão ligeiros mais que a lancadeira do tece- cap.7.
dor , e faltaraõ sem esperança (de cobrar ou-
tros) lembtrate que vento minhas vidas , não
tornara o meu olho a ver bem ; não me verá o
olho do que me via ; teus olhos em mim , e nao
eu. faltarão a nuve , e passou , assi o que desce á co-
va não subirá. Não tornará mais a sua
café,

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*caso, nem o conhecerá mais o seu lugar. E logo mais : Abominei (como doente enfastiado) não hei de viver para sempre : cessa de mim (com o acoute) Por que vai dade os mentidas. O mesmo sentido segue no cap. 14. e outros muitos lugares que seria longo referir, e quantos pelos Psalms se achão espalhados, que todos conferem, e concluem com dizer que a vida do homem he breve, e acabada ella nam lhe fiqua nem somente esperança de poder tornar acobrar outra, Porque ha á arvore esperança, se for cortada, e ainda será renovada, e sua brotadura não cessará. Se envelhecer na terra sua raiz, e em o poo morrer seu tronco, com o cheiro das agoas brotara, e fará ramo como planta. Mas o homem morrerá, e será enfraquecido, e morreo o homem, e a onde elle? Andaraõ as agoas domar, e erio será seco, e secar se ha. E o homem dormio, e não se levantará, a té não aver çeos não despertaraõ, e não se levantaraõ de seu sono. Como dizer : tão impossivel he o homem morto tornar a viver, que poderam bem faltar ao mar agoas, e os rios caudalosos de agoas manantes, e vivas poderam secarse, mas o homem nunca podera tornar aviver, em quanto ouver çeos, que será sempre, nam acordará, nem despertará do sono mortal que huá vez dormir. É por que este sono he tão pezado, e delle se acorda tam devagar, dizia David ao Sñor. *Alumia meus*
psal. 13.4. olbos por que a caso não durma de morte. Por que a
*caso**

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caso não diga nem inimigo, Prevaleçi contra elle,
 Tu Sñor ves que o inimigo nam deixade me-
 buscar : será fácil huã hora poder vir a suas
 mãos,e pereçer nellas,alumia pois meus olhos
 parã ver onde ponho os pès,e poder guardar-
 me delle por que a caso nam me durma de
 morte ; por que nam aconteça dormir aquelle
 sono de que se nam acorda , e se glorie meu
 inimigo de aver prevaleçido contra mim. E
 assi por tudo se mostra que morto o homem
 nam fiqua delle couisa, nem tornará algum dia
 a viver. *Por que annos de numero virão, e pello ca-* Lib. 16.
minho donde não tornareí andarei, Acabar-se haõ no fim,
 os breves, e contados dias de minha vida,virá
 o fim delles,e eu farei aquella iornada comum
 a toda a carne, e andarei aquelle caminho que
 nam tornareí a desfandar.

Os que defendem ser a alma do homem im-
 mortal costumam responder a alguns dos fun-
 damentos que posemos , fustando o corpo, e
 dando çertas distincões , as quais assi como
 são mal verda deiras, assi se caem de seu. Re-
 spondem pois ao texto : *poo tu , e em poo serás*
tornado : que alli falou Deos com o corpo , e
 nam com a alma , reposta graciosã. Deos fa-
 lou com o homem vivo, e espirituado,e a este
 tal de clarou, e fez saber sua condiçam, e que
 sua vida teria termo,e numero,e o poo deixou
 no poo sem mais .Ihe dar levantamento , o
 que era bem necessario para se poder esperar.

Por

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Exame

por isto Adam se não levantou mais avendo tanto que dorme, nem se levantará em quanto o mundo durar, e ouver çeos , que será sempre. Da mesma maneira respondem aos textos com que se prova não poderem os mortos louvar a Deos; a saber , que onás podem louvar corporalmente , como que niso fosse a dizer alguá cousa, se elles espiritalmente opo-dessem fazer , pois melhor louvaria o espirito limpo , e livre do corpo, do que louvaria encorporado , e metido nelle. E não era verdadeiro dizer que os mortos não louvariam ao Sñor louvandoo o espirito delles , antes os mortos louvavao ao Senhor . Em vam se fazia tambem o argumento para obrigar a Deos a ter compaixam do homem , pondolhe diante a brevidade , e vaidade de seus dias , se morto elle fiquava sua alma, ou seu espirito, e começava agozar outravida bemaventurada, eterna, e descansada. Mas por que isto assi não he, dizia , edirá qualquer affligido : *Lembrate que não ha omen olho de tornar a ver bem .* Mais respondem ao verso: *E lembrouse que carne elles, espirito que passa , enão tornará ,* e outros semelhantes; que o espirito não tornará áquelle corpo mortal , mas tornara á corpo immortal. Enam vê que se o espirito tornasse a corpo tal, tornava melhor , e nã se chamaria este tornar não tornar. Emfim são distincções desproporcionadas, e desvios maltomados para fugir a verdade,

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dade , a qual como he forte , e poderosa nam deixa vencerse. Ajuntamos que Abraham também disse : *eis agora comecei a falar a meu Senhor , e em poo , e cinza.* E se o espirito de Abraham era immortal , e despois avia de tornar a tomar corpo immortal , nam era Abraham pó , e cinza , nem tal se podia com verdade chamar , antes era Abraham hum ente immortal pois seu espirito era immortal , e do corpo , parte menos principal não se devia fazer caso para tomar o nome , e chamar-se poo , por que as cousas se denominao da parte que nellas mais domina , e mais val : no homem o seu espirito he a parte principal , se este espirito he immortal , e ente por si , tal fica sendo o homem , e não se chamara poo , indaque seu corpo o seia , e muito mais , sendo o so até certo tempo. conheço pois Abraham sua condiçam caduca , e corruptivel , e como tal se vio , avendo de falar com Deos , aparelhouse de humildade , confessando , e pondo diante quanto indigno era desta fala. da mesma maneira se entende o lugar : *poo tu , e em poo serás tornado ;* e nam se podia tal dizer pello homem todo , e vivo , com quem Deos falou , sendo seu espirito immortal , nem o homem se tornava em poo. o que Selomoh bem conheço , e por isto disse , que o homem não tinha ventagem alguma ao animal na duraçam por que tudo vaidade. *Por que o* Ecl. 3.
acontecimento dos filhos dos homens , e o aconteci- 19.

E

mento

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Exame

- mento do animal , e acontecimento hum a elles. assi como morre este, assi morre a quello, e espirito hum a todos , e ventagem do homem mais que o animal nenhũa por que tudo vaidade. Os fabulosos declaradores dando fãida a este verso , dizem: tudo vaidade tirado a alma.e ata mui bem esta sua reposta com tudo o que naquelle lugar se diz , onde se trata de mostrar que o homem em sua duração nada he diferente ao animal, e o mesmo espirito que tem hum tem o outro, e*
- v.20. *por isto mesmo , tudo vaidade. tudo vai a hum lugar : tudo foi do poo, e tudo torna ao poo. quem sabe que o espirito dos filhos dos homens sobe elle para cima , e o espirito do jumento desce elle debaixo da terra? pello que feitas as contas vim a achar que nenhũa cousa melhor ao homem que gozar o trabalho de suas mãos, e que esta he a sua parte , nem leva outro fruto de sua creação.*
- v.22. *E vi que não bom , que alegrarse o homem em suas obras : por que isto sua parte. Não lhe resta ao homem outra vida para viver , desta que presente tem ha de fazer conta , e cabedal. se a quer guardada, tema a Deos, e guarde seus preceitos assi gozará o fruto de seu trabalho.*
-

Cap.

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Cap. 2. Em que se poem os fundamentos que costumão trazer por si os que dizem ser a alma do homem immortal, e aver resurreiçã dos mortos com as respostas a elles.

OS que apregoão immortalidade da alma, e resurreicam dos mortos são como homens que querem subir huã parede lisa sem escada, que não tendo em que se pegar, todas as vezes que estendem a mão, e vão para por o pé escorregam, e caem como parecerá de seus fundamentos que seguem.

Primeiro : o homem foi criado a imagem de Deos : Deos he immortal, logo o homem também he immortal, ou não seria o homem feito a Imagem de Deos.

2. A criacão do homem nam foi semelhante á criacão dos outros animais, e Deos inspirou nelle espiraculo de vida, logo este espiraculo he immortal.

3. Deos disse a Adam : em odia que comes da arvore morrerás ; se Adam nam come-ra nam morrera : logo immortal foi criado.

4. Moseh disse a Deos : se nam perdoas a este povo riscame do teu livro que escreveste : neste livro são escritos os que ham de viver vida eterna, e estes são os que vivem na terra dos viventes.

E 2

5. Se-

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5. Samuel veo falar a Saul : logo os mortos vivem, e falaõ.

6. Ellahu foi tomado ao çeo , e vive. Elifaz refuscitou morto.

7. Em muitos Psalms se le que os maos feraõ deltruidos da terra , eos bons floresçeram : logo outra vida he neçessario qué aia, por que nesta os maos floresçem, e os bons padelfem ; os maos não são castigados , nem os justos premiados.

Psa. 16 8. Está escrito : *Por que não deixarás minha alma em a sepultura : não deixarás o teu misericordioso ver a cova. Item : quam grande o teu bem que escondeste para os que te temem.*

Iesah. 26. 9. Está escrito : *viviraa teus mortos : e logo mais : a terra defunctos lançará. Item : eis en abro vossas sepulturas , e farei subir a vos de vossas sepulturas povo meu. Item : e en conheço meu remidor vivo , e derradeiro sobre o poo estará , e despois que minha pelle trilharem esta , de minha carne verei a Deos. o qual eu hei de ver a mim , e meus olhos virão , e não alheio . enfraquecerão meus rins em o meu çeo . Tambem Dâniel prophetizou da resurreiçam dos mortos.*

Ao primeiro argumento , que o homem nam seria feito á imagem de Deos se nam fosse immortal : respondemos que he doudiçe querer que o homem seja imagem de Deos em todo , e por todo : assi por que Deos he om-

Das tradiçõs.

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omnipotente, nem por isto o homem sua imagem he omnipotente : doutra maneira se ouvessemos de considerar o homem imagem de Deos em tal força que seia retrato seu, seria necessario que o homem fosse Deos, e Deos nam pode fazer outro semelhante em tudo a si mesmo : e a major sua grandeza he ser tal, que elle mesmo com todo seu poder nam pode fazer outro seu igual ; por que implica ser Deos, e poder ser feito, criado, ou gerado. He pois o homem imagem, e semelhança de Deos em alguma coisa. he tua sombra de sua sabedoria, nam he a mesma sabedoria. poderosa na terra sobre as creaturas, e he quasi semelhante a Deos, mas nam poderosa como Deos. assi nam he imagem de Deos na immortalidade, que essa he propria de Deos, e nam do homem. *Por ventura como dias do homem os seus dias? por ventura seus annos como dias do verão?* nam podera liob dizer isto se o espirito do homem fora immortal como Deos, e eterno era o homem.

Ao segundo : acriação do homem nam foi semelhante á criação dos outros animaes, e Deos inspirou nelle espiraculo de vida, logo este espiraculo he immortal. respondemos que nada ata o argumento, e se tira mal a consequencia, por que nam se segue que o espirito que deu vida ao corpo sem alma de Adã

E 3 fosse

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fosse espirito immortal ; antes pello lugar se mostra que o mesmo espirito de vida tem os animais que tem o homem, por que na criação delles disse Deos. *Produza a terra alma vivente*, e na criação do homem despois de ia animado com o espirito vital que lhe inspirou : *e foi o homem por alma vivente*. assi que a mesma palavra via em hum lugar que no outro , e como diz selomoh : *espirito hum a todos*. Nam tirar Deos da terra o homem na companhia dos brutos, como bem podera fazer, foi assaz conveniente , e que nam fuisse na manada delles o homem possessor sobre elles , racional , e participante da sabedoria divina , e assi do modo de sua criação podesse aprender a ler tambem diferente em sua vida como avia sido nella. outras diferenças se acabam tambem na mesma criação, e todas para doutrina do homem. hum só criou Deos, e nam muitos, elhe deu huã mulher, que tirou d'elle mesmo. todas estas cousas o ensinão a viver , mas nada tem que fazer com ser mortal , ou immortal. Se Adam estivera vivo quando Deos lhe fez entrar o espirito de vida , poderamos dizer que este espirito era cousa separada , e apartada do espirito animal com que Adam ia vivia : porém Adam nam se movia antes de lhe entrar o espirito vital , logo o espirito vital que entrou em Adam foi a alma animal , e a mesma alma animal foi alma racional , e toda he a mesma cousa

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coisa de tal maneira, que faltando no homem
 a alma animal, logo faltou nelle a rezaõ, e dis-
 curso, a que chamaõ alma racional. *Louvarei Psal.*
ao Sñor em minha vida : cantarei a meu Deos em 146.
quanto eu. que despois que eu nam for ia nam
 poderei cantar. *Sairá seu espirito, tornará a sua v. 3.*
terra (tornará o homem a terra que he) em o dia
esse peregração seus pensamentos. No dia de o ho-
 mem morrer acabaram todos seus discursos,
 ia mais nam racioçinará. *Ecclesiastes : tudo o Cap. 9.*
que achar tua mão para fazer em tua fortaleza fa- v. 10.
ze : por que não ha obra, e racioçinio, e sciencia, e
sabedoria em a sepultura para onde tu vas. Em o-
 dia de morrer o homem tudo acaba com elle.
 mortal, e finito foi o espirito que Deos lhe
 deu, não immortal, e infinito, e por isto mor-
 re, que aliás nam morrerá, *Liob : se possesse sobre Cap.*
elle seu coração, seu espirito, e seu espiraculo reco- 34.
lheria a si. morreria toda a carne juntamente, e o v. 14.
homem em poó seria tornado. O mesmo dos ou-
 tros animais. *recolherás seu espirito, espirarão, e Psal.*
a seu pó se tornaráõ. De maneira que recolhen- *104.*
 do Deos, tirando Deos, fazendo cessar no *v. 23.*
 homem animal racional, como em qualquer
 outro, que racional não he, seu espirito, cada
 hum delles se extingue, e acaba. Alguns di-
 zem por a fear esta verdade que tão bom fi-
 qua sendo hum cachorro como hum homem;
 e mereçem estes ser privados com dor doer
 que Deos lhes deu, pois tão mal o conhecem,

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é effimão què de senhores do cachorro se fazem seus irmãos , só por que lhes nam deu Deos vida para sempre , como que se lhes fosse devedor de alguã couza ; e melhor dizia o outro no seu romançoiro

*Mortal me pario mi madre
 I pues pude morir luego
 Lo que el cielo es dño de grado
 No lo pidais de derecho.*

Ao terceiro : *Em o dia que comeres da arvore morrer morrerás* : se Adam nam comera não morreria ; logo immortal foi criado. Dizemos que he falso o argumento , e que nam se segue que se Adam nam comera nam morreria , mas seguese que se Adam nam comera nam morreria aquella morte com que Deos o ameaçou. sua morte natural , e a seu tempo morreria. Adam nam morreria morte antecipada por rezam de passar a preceito. assi diz a lei : o que cometer tal caso morrer morrerá. E por ventura nam ha de morrer se aquelle caso nam cometer ? si por certo ha de morrer , mas nam ha de morrer aquella morte por aquelle caso ameaçada. Iecchezchel : *Sese converter o peccador de seu caminho , vivo en , diz o Senhor que não morrerá.* Não morreria a morte ameaçada. nam o matarei antes de cumprir seus dias. nam o matarei com morte má
 aos

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aos peccadores devida . assi se Adam nam peccara , nam o julgara Deos como o julgou , que se logo o não castigou com o juizo da morte , e lhe prorogou a vida por merçe , foi com seus encargos . E quando bem fosse que Adam foi criado immortal (nam o mostra assi a fraqueza de seu çimento , que de comer , e beber tinha necessidade) de baixo de condiçam se guardasse o preçeito que lhe foi posto , na hora que o passou perdeu a immortalidade , e assi morreo , que se immortal era nam peccando , immortal ouvera de viver corporalmente , peccou : morreo , e passou a immortalidade . mas averdade he que mortal , e corruptivel foi criado .

Ao quarto : Moseh dise a Deos : *riscame* *Exod.*
agora do seu livro que escreveste : neste livro são 32.
 escritos os que haõ de viver vida eterna , 32.
 e estes sam os que vivem na terra dos viventes . dizemos que tudo se refere á vida presente , e nam a outra que nam ha . assi Moseh dise a Deos que o riscasse do seu livro ; a saber , do livro . em que escreve os bons para os premiar nesta vida , fazendo lhes cumprir seus dias em paz , e felicidade . (Nam entendemos que tenha Deos algum livro de lembrança , mas que a linguagem he accomodada ao nosso modo para mostrar que tem Deos conta com o

E 5

mun-

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Exame

mundo para o premiar , e castigar.) Deste livro pois disse Moseh a Deos que o riscasse , e foi como dizer, matame, talhame antes de eu ter cumprido o meu curso. Se não veio o perdão deste povo não quero vida. da mesma maneira que falou outra vez : *E se assi tu fazes a mim : matame rogo matando, se achei graça em teus olhos, e não veia o meu mal.* Huã vez te pedi Sñor , que me matastes zelando o bem deste povo, por que não queria eu vida para ver o seu mal : agora to peço segunda , zelando o meu bem, por que se com tanto trabalho eu hei de viver, não me he agradável ter vida.

Num. 31. 15. *assí falou tambem Ribcha a Ischac dizendo*
Gen. 27. *que lhe era a vida pezada , enão queria viver, se Iahacob ouvesse de tomar mulher das filhas da terra. Não pedia Moseh a Deos que o riscasse do livro em que estavaõ escritos os que aviam de viver vida eterna , e perfeitamente ditosa (se tal vida avia) para ser lançado , e escrito em o numero dos inimigos de Deos condenados a eterno mal , que esta petiçam fora louca, e desalfada.*

Terra dos viventes se chama este mundo, em que andamos, e vivemos , terra das vidas, a saber . terra em que se achão muitas vidas, por que nella vivem muitos , e assi nam he terra de huã só vida. terra dos mortos , terra da perdica se chama a cova, poço, silêncio. terra de escuridade , e sombra de morte , onde a luz

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luz não entra como no la representa Iiob. def.
 ta terra das vidas se faz muitas vezes menção
 em Iechezchel, e cada passo em muitos Psal.
 mos. *Andarei as faces do Senhor em a terra das vi-^{32- Cap.}*
das: livrou o Senhor minha alma da morte, e das ^{Psalm.}
maãos daquelles que a buscavam para tirarmá, ^{116, 9-9}
 por isto viverei, e andarei diante de Deos na
 terra das vidas. empos isto serei agradecido
 pellas merces que conheço receber de sua
 mam, e assi offereçerei sacrificio pella saude.
Vaso de salvacões levantarei, e em nome do Senhor in-
vocarei. Meus votos ao Senhor pagarei, & precio-
sa em os olhos do Senhor a morte dos seus bons.
 Não estima o Senhor tão pouco a vida dos seus
 bons, que lhe nam seia mui cara sua morte:
 por isto não os entrega facilmente nas maãos
 do inimigo. e eu com este motivo, e em final
 de fazimento de graças. *Meus votos ao Senhor*
pagarei diante agora todo seu povo. E assi fica
 mostrado quais seiam os escritos no livro do
 Senhor, e qual a terra das vidas.

Ao quinto : Semuel veo falar a Saul : logo
 os mortos vivem, e falam : respondemos que
 nam veo Semuel falar a Saul, nem os mor-
 tos vivem, ou falam ; e o que se escreve cerca
 esta vinda, e fala no primeiro livro que se in-
 titula de Semuel he tudo contrario á doutrina ^{Cap. 28.}
 que se tira da lei, e lugares allegados, pellos
 quais se mostra que os mortos nam vivem,
 nem sabem de alguã cousa como aquelles
 que

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que ia não são. assi sendo a tal escriptura contraria á verdadeira doutrina da lei, he força que seia falsa, e commentada como outras escriptas, e recebidas pellos Phariseus, e reprovadas pellos Sadduceus. E nos temos a lei por guia, e fundamento principal, e por ella avemos de julgar, e apartar o falso do verdadeiro. Assi nos manda a lei que nam creamos ao Propheta, ou sonhador que com falsos milagres, ou apparencias nos quizer levar á adoraçam de deoses estranhos, que não conhecemos, nem a lei nos ensinou a conhecê-los, e com o fundamento firme posto nella nos manda desprezar seus sinais. O mesmo nos da regra para conhecer o Propheta falso que em nome do Senhor falar, se nam acontecer a cousa que elle prophetizou, que tudo he avizarnos, e fazernos a cautelados contra a malicia dos homens, que não cessão de inventar, e escudrinhar maldades, contra as quais está seguro o que se acolhe á verdade da lei. pois como seia doutrina nova dizer que os mortos falaão, e se levantam ao chamado de quem os chama, cousa que a lei nam conheceo, antes vedou este modo de chamar por elles como gentilico, e vão. a escriptura, ou conto de quem nos diz que Semuel veo falar a Saul he necessario que sem demora seia de nos lançada, e rejeitada firmes na doutrina, e verdade da lei. E por certo

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certo que quem olhar para o conto , achará logo nelle sua vaidade. por que he de saber quem emprestou a Semuel aquella capa para se cobrir : quem lhe deu o corpo , e aquellas barbas brancas , que de poucos dias estavam metidas de baixo da terra , se elle quando sahio deste mundo foi nu com seu espirito para o lugar onde estava , e seu corpo ficou qua na terra. tambem Semuel lhe disse que ao outro dia estaria com elle , e assi tam bom lugar teria Saul , de quem o Senhor se apartou , e se fez inimigo , como alli se diz , como tinha Semuel mimoso seu. Em fim se ha illusões , e alguá arte para enganar , e mostrar corpos phantasticos (eu de tal arte nam sei) algum engano destes poderia acontecer fizesse a molher malfetora a Saul ; porém cuidar que a alma de Semuel vestida em novo corpo , e habitos lhe veio falar , he mais que vanissimo , doutrina falsa , gentilica. vam.

Iesahiahu : *Pellos vivos* (se perguntará) *aos* *cap. 8.*
mortos ? como dizer , mais sabe , mais val , me- *v. 19.*
 lhor he o vivo que o morto ; que bem pode
 fazer o morto ao vivo ? pois pellos vivos se
 hade perguntar aos mortos ? Selomoh : *Por Ecck.*
que o caõ vivo melhor que o leaõ morto. por que *cap. 2.*
os que vivem sabem que haõ de morrer : e os mor- *v. 4.*
tos não sabem alguma coisa , e não mais a elles
premio: por que ao esquecimento foi entregue sua mo-
moria. tambem o amor delles, tambem o odio delles,
tambem

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*tambem a inveia delles ia pereceo : e parte não a el-
les mais para sempre em tudo o que se faz debaixo
do sol. O morto acabou , nam tem mais conta
com o que se faz no mundo. E tam pouca
conta tem que como diz liob nem de seus
filhos sabe. far-se-hão poderosos sem filhos, e não sa-
berá, e envilescerão , e nam atentarão a elles. pois
se o homem morto he este , se dormindo está
seu sono deque não acordará : envergonhen-se
os fabulosos que andam com os mortos as co-
stas , e nos querem persuadir que apparecem
de novo aos vivos , e lhes servem de conse-
lheiros.*

*dep.
14.
v. 21.*

Ao seísto: Eliiahu foi tomado ao ceo, e vi-
ve. Elisah resuscitou morto. Seia embora que
estas cousas assi acontecessem, nada se tira del-
las para a immortalidade da alma, antes se mo-
stra que se Deos quiz conservar Eliahu vivo
para o mandar pregar aos homens, foi por que
se morresse nam podia tornar ao mundo, saluo
se Deos o criasse de novo como criou o pri-
meiro homem. dilatoulhe pois a vida (se assi
he) mas não o fez immortal , pois no cabo de
fazer sua embaixada ha de morrer. (se ouvire-
mos os Sadduceus sobre esta escriptura , sabe-
remos o que nos dizem della , que de verdade
parece pouco necessaria esta guarda de Eliiahu
vivo , e nam se limitou o poder de Deos para
nam levantar bons espiritos cada vez que elle
quizer , dos quais se sirva para seus embaixa-
dores.)

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dores.) Tambem o morto que resuscitou Elifab com se estender sobre elle, juntando a boca com sua boca, e as mãos com suas mãos (galante modo de fazer milagres, e resuscitar mortos : não obra Deos desta maneira) nada faz ao proposito. esse morto a quem Deos (se affi foi) tornou a dar por merçe novo espirito, tornou a morrer, nem resuscitou para vida de sempre, que nos importa logo sua resurreição para mostrar immortalidade de que tratamos? É com tudo averá muito que dizer sobre verdade destes milagres que Deos nunca fez em outro tempo, nem costumou matar homens para depois os resuscitar. E no segundo do Semuel selé que respondeo David a seus servos, que se maravilharaõ de o ver comer quando soube da morte do filho por que de antes ieiuou. *Em quanto inda o moço vivia ieinei, e chorei, por que disse quem sabe se se apiadará o Sñor de mim, e vivirá o moço? e agora elle morreo para que ia en ieinarei? por ventura poderei tornalo a vida mais? eu vou para elle, e elle não tornará para mim.* Outro milagre se conta de Elifab que çerto parece milagre sem proposito, e desnecessario; e milagres taõ bastos, e quasi minineiros não costuma Deos fazer. foi elle em companhia dos filhos dos Prophetas a cortar lenha ao Iarden, e cabio o ferro do machado a hum no rio, o qual se lhe a margurou, e magoou dizendo : *abab Senhor meu que o pedi emprestado.*

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prestado. E lançou Elifah hum pao nagoa, e nado o ferro, e assi o recolheo outra vez o que o perdeo, e pegou nelle. milagre sobre o ferro de hum machado tam escusado, e tam pouco necessario que mal se poderá crer. Hase pois de saber que entre os livros que os Pharisheus nos vendem, ou daõ por verdadeiros ha muitos que os Sadduceus reprovam, e dizem contra sua verdade. eu nam sei pôr o dedo em todos quais seiam por nam aver communicado com os ditos Sadduceus; porém sem esta communicacão pello soieito das cousas se pode bem alcãçar que livros, ou que parte delles devam ser reprovados, ou recebidos. E o que me affirmo he, que sam estes homens tam suspeitosos, ou por melhor dizer, tam pouco verdadeiros em suas cousas, que a escriptura que nam tiver em sua abonação outro testemunho mais que o seu, fiquará mui duvidosa, e sospetosa; e se tiver contra si testemunho de outros Judeus que sua verdade negem, nenhum credito mereçerá. assi os que amarem a verdade, e deseíarem acertar, devem procurar com toda sua força inteirarse do que dizem os Sadduceus sobre a verdade dos livros que os Pharisheus quizeram meter na conta dos sagrados, e divinos por que desta maneira nam vivam, e seiam enganados com a falsidade que nelles se alha, e possam vir ao verdadeiro conhecimento, que o credito que se da a escripturas mentirosas,

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rosas, e vãos costuma impedir, e a talhar.

Ao sétimo : em muitos Psalms se lê que os maos foram destruidos da terra, e os bons floresceram ; logo outra vida he necessário que aia, por que nesta os maos florescem, e os bons padecem: os maos nam sam castigados, nem os justos premiados. respondemos que he verdade que nos Psalms se lê da destruição dos maos, e florescimento dos bons, e he doutrina verdadeira fundada na mesma lei ; porém negamos o que segue, que os maos não são castigados nesta vida, nem os justos premiados ; por que tal dito como este, he directamente contrario á verdade, e fundamento da lei, que nam publica outra cousa, que dizer : faze bem por que seia bem a ti, e a teus filhos despois de ti. *Por que em o Senhor Deos* *Exod. 20. 5.*
ten, sorte, ciofo, que visito a maldade dos pais sobre os filhos, sobre os tercciros, e sobre os quartos aos que me aborrecem. E que faço misericordia a milhares, aos que me a mão ; e aos que guardão meus preccios. De maneira que na vida presente paga Deos ao mao em sua cabeça, e na de seus filhos, e descendentes, e tambem paga ao bom, fazendo bem a sua semente quasi em infinito, como pagou á Abraham, cuja semente posto que muitas vezes provocou a ira divina de tal maneira, que mereço ser consumida, ou ao menos de todo repudiada, toda via por ser semente sua, e guardar sua palavra, nam ti-

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rou

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rou della sua misericordia como de outras gentes, antes se lembrará de restitula a melhor estado, respeitando aos mesmos pais, e concerto com elles celebrado. *E suberás que o*
Dent. 7. 9. Senhqr Deos teu, elle Deos, Deos fiel, que guarda o
concerto, e a misericordia aos que o a maõ, e que
guardaõ seus mandamẽtos até a millesima geraçõ,
e que paga aos que o aborrecem em suas faces, para
fazer perder a elle : não dilatará ao que o aborrece,
em suas faces pagará a elle. Em suas faces paga
 Deos ao perverso : nam lhe dilatao castigo por muito tempo. he doutrina da lei : he doutrina verdadeira debaixo da qual militamos.

Agora, se muitas vezes vemos florescer os maos, e que nam levam seu castigo tam presto, ou da maneira que nos queriamos : devemos cuidar que a nossa vista he muito curta para alcançar as ordens de Deos, e o profundo de sua sabedoria com que o mundo governa. Deos olha os coraçõs, ve, e sabe o que cada hum mereçe, e conforme ao que mereçe lhe paga : nos pello contrario olhamos o de fora, e julgamos como cegos. Deos sofre, por que nam descia destruir o homem, e antes quer que se couverta. *Por que não perfeiza a maldade*
Gen. 15. 16. do Emoreo azeqora. porem se se não converte,
Psal. 7. he çerto que seu castigo lhe ha de vir. Se se não
v. 13. converter, sua espada aguçará : seu arco armon, e
aparelhou a elle. E fez aparelhar a elle vasos de mor-
te : suas setas contra os perseguidores obrará. E nos
 entende-

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entendemos que por que o castigo ao nosso
pareçor tardou, ia o mau ficou sem elle. pois .
devemos saber , que o estado felice dos maos
naõ he seguro, antes se continuarẽem sua mal-
dade lhes podemos esperar sua çerta queda.

*Vi o mau arreigado, e que lancava ramos como lon- Psa. 37
ro verde. E passou, e eis nam elle, e buscei o, e nam v. 35.*

foi achado. Isto vemos cada passo acontecer.
talha Deos , e corta a muitos quando cuidam
que comecam a viver. visita com varias do-
enças, e males. dá fome , dá pobreza , abaixa
os altos , e casas ricas poem pello chaõ de tal
maneira, que ordinariamente nos espantamos
de ver homens, e filhos delles , que em outro
tempo ia conhecemos. pois isto he passar o
mao : isto he buscalo , e nam achar delle final.
como tambem saõ passadas monarchias gran-
des , de que Deos hum tempo se servio para
castigo de outras gentes , e todos por fim re-
ceberam sua paga , e inda receberã m , que
Deos vive , vé , e julga o mundo cada dia , e
nenhuã outra cousa vemos, se nam juizos seus
na terra , dos homens mal conhecidos. Do
bom , e justo pello contrario se diz : *moço fui, v. 8.
tambem envelheci, e nam vi justo des emparado, e v. 25.*
sua semente buscar paõ. assi que nesta vida paga *Prov.*
Deos ao bom , e ao mau : *eis ao justo em a ter- II. 31.*
ra se pagará quanto mais ao mau, e peccador. ne-
nhum feia tam nefcio, e louco que outra cou-
sa cuide , e faça huã conclusã tam desafisada

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contra a verdade , e fundamento da lei , por
que se quizer exprimentar em sua cabeça a-
chará a inteireza desta verdade , como foi o-
brigado a confessar certo Poëta, principal en-
tre os da sua naçam, que parece teve enveia ao
caminho dos maos , entendendo que para el-
les nam avia castigo, e diz assi

*Os bons vi sempre passar
No mundo graves tormentos,
E para mais me espantar,
Os maos vi sempre nadar
Em mar de contentamentos.
Cuidando al cançar assim
O bem tão mal ordenado,
Fui mao, mas fui castigado,
Assi que soo para mim
Anda o mundo concertado.*

Louco homem , e sam todos os que cuida-
rem que aos maos acontece sempre bem. hum
dia lhes. poderá acontecer , mas o fim delles
para destruiçam. pello contrario aos bons po-
derá algum dia vir mal , ou por que Deos os
quer provar , ou por que nam ha homem tam
justo que nam mereça algum castigo, porem o
fim delles para paz. Abaixе logo o temerario
juizo do homem, em cujos olhos muitas vezes
he bom aquelle que nos de Deos he mao, hum
pouco as azas de sua imprudente presunçam,
com que quer tomar o lugar de Deos, e fazerse
com elle iuiz em a terra; e assi quãdo algumas
cousas

Das tradiçõs.

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cousas vir acontecer , cuio segredo não alcança, deixeas a Deos justo iuiz que o mundo governa com alta sabedoria levantada muito da humana, por que inda que muito se canse não poderá alcançar. Selomoh : *E vi toda a obra de Deos, que não poderá o homem achar a obra que se faz de baixo do sol : por amor da qual trabalhará o homem por buscar, e não achará, e também se disse o sabio que quer saber , não poderá achar.* *Eccle. 8.17.* Somentes saiba o homem, e conheça , que Deos he iuiz na terra , e nella com justa balança premia os bons , e castiga os maos , e quando vir Hebel justo perecer nas mãos do perfido Kaim, cuide se essa morte grangeou o peccado de seu pai, e aprêda atemer a Deos que o castigo do peccador estende até seus filhos. e se bem esta materia he tal que convidava a hum longo discurso, he necessario atalhar por chegar ao fim, e basta subeiramente o que mostramos , para annullação do argumêto contrario, fundado em falsa apparencia contra fiel doutrina da lei.

Ao oitavo: está escrito : *por que não deixarás minha alma em a sepultura: não deixarás o teu bom ver a cova.* item: *quam grande o teu bem que escondeste para os que te temem.* respondemos que nada ao proposito, e o sentido do primeiro verso he este. Não deixarás minha alma vir a poder de meus inimigos, e que eu por sua mão delles desça a cova. Alegravase David de ter o Senhor em sua guarda , e dizia que debaixo de

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seu abrigo dormia seguro , nem temia que o mataassem. não quer dizer que depois de morto tiraria sua alma da sepultura; que isto encontra o que segue : *não darás o teu bem ver a cova.* Nem quer dizer que nunca avia de ver a cova , que a cova todos a haõ de ver , e nenhum vivo escaparã de suas mãos. *que homem viverá, e nam verá a morte? livrarã sua alma da man da cova?* mas quer dizer que Deos nam deixaria sua alma em perigo de morte , ~~nem~~ consentiria como dizemos , por man dos maos que abuscaraõ vir elle á cova, como em outros psalmos se consolava.

1.º sal.

O segundo verso : *quam grande o teu bem que escondeste para os que te temem* : por si esta declarado com o que segue : *o braço aos que esperam em ti diante os filhos dos homens.* de maneira que diante os filhos dos homens na vida presente obra Deos este bem. E que bem he? *escondelhas em o escondido de tuas faces dos levantamentos do homẽ, escondelos has em a tendada contẽda das linguas.* tu lhes serás amparo , e abrigo contra toda a perseguiçam dos homens , treições , e maldades, deque dava ao Sñor graças a velo livrado , bens acontecidos nas faces dos filhos dos homens de presente, outros bens nam sonharẽmos ; e se sonharmos, sonboẽs seraõ.

Ao nono sobre o lugar de Iesahiahu : *viviram teus mortos*, &c. respondemos que nam fala o propheta dos verdadeiros mortos , dos que acaba-

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acabaram o curso natural da vida, nem diz que elles se levantariaõ ; mas os mortos de que fala, saõ o povo de Israel espalhado pellas terras, e nellas quasi contado por morto, e tam morto que ninguem cuida delle que tornará mais a ser gente, mas sempre iazerá no chaõ, abatido, vil, mirrado, e seco, da mesma maneira que delle fala por semelhança o propheta Iechezchel no cap. 37. onde declara que os ossos secos eraõ a casa de Israel, respeito de que elles diziaõ : *focaraõ se nossos ossos, e pereceo nossa esperança, fomos salbados a nos.* e conforme a este sentido diz : *eis eu abrirei vossas sepulchras, e farei subir a vos de vossas sepulchras.* Não diz que tiraria os verdadeiros mortos das covas, mas os vivos assemelhados a mortos ajuntaria das terras, e lugares onde estavam lançados, e eraõ como suas sepulturas, respeito de seu estado, e os tornaria a terra de Israel. assi que hum lugar he semelhante ao outro, e ambos falam parabolica, e nam propriamente. E inda por maior delaraçam repitiremos atras hum pouco. Do principio até o fim trata aquelle capitulo do ajuntamento de Israel, e mostra como o Sñor castiga diferentemente a outras gentes do que o castigará a elle. Por ellas diz : *mortos não viviraõ, defunctos nam se levantaram. por tanto visitaõte, e destruiõte a elles, e per deste roda a memoria delles.* querendo dizer que as gentes, castiga o Sñor, e muda seu estado de ma-

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neira que mais nam' tornaõ ao que de antes foram ; porem a Israel castiga diferentemete. *Ajuntaste á gente Sñor, ajuntaste á gente, glorificastete; que elogaste aos fins da terra.* quer dizer ; ajuntaste Sñor , multiplicaste Sñor fazer maravilhas com aquella gête , e assi te glorificaste, gente que avias lâçado aos fins da terra, e por conclusão ; despois de todos os males passados, despois de longas esperanças: *vivirão teus mortos*: os teus feridos, os teus mortificados; e trilhados, contados quasi por mortos na terra, vivirão: lâçalo fha a terra de si, e brotaraõ della como erva; e he conforme ao que se le no cap. seguinte. *Em os vindouros lançará Jacob raizes: florescerá, e brotará Israel.* tudo são semelhanças, e modos de falar com figuras, que he necessario entender com juizo de homens, e não tomar as palavras como soaõ indiscretamete.

Segue-se o lugar de Iiob: *E eu conheço meu remidor vivo, e por derradeiro sobre o pó estará, &c.* E respondemos que mui desviado he o sentido de Iiob daquelle com que muitos o entendem, ou querê entender , e o que em substancia diz, he, que elle tinha confiança em Deos que inda o avia de levantar daquelle lugar onde iazia chagado ferido, e debilitado, e levantado em seus pes lhe avia de fazer os sacrificios que de antes costumava , e louvalo. *Eu conheço meu remidor vivo* : eu sei que aquelle em quem eu tenho confiança , he Deos vivo, pode.

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poderoso para me remir, livrar, levantar, tirar desta angustia, tribulaçam, e miseria em que me veio (todas as vezes que Deos livra os homens de males, tribulaçoẽs, e perigos, se chama Deos remidor; assi quando remio o povo do Egypto, e he materia fora de questao.) *E por derradeiro sobre o pó estará: e que no fim desta minha angustia sobre a terra estará, andará, e se moverá minha pelle, meu corpo, (a pelle se toma por todo o corpo no mesmo liob) E* ^{Cap. 2: v. 4.} *despois que minha pelle trilharem esta: despois que a infirmitade, doença, e chagas de que estou ferido (e sahio sataõ de diante do Sñor e ferio a Iob em chaga má des da planta de seu pé, e nte o alto de sua cabeça.)* ^{Cap. 2: v. 7.} *despois que os bichos criados nellas, ou levantados do pó em que estou assentado (vestio-se minha carne de bicho, e immitia do pó: minha pelle se cortou, e desatou-se)* ^{Cap. 7: 1} *deixarem de tratar mal esta pelle, e carne: entonçes: de minha carne verei a Deos: entonçes reformado, e convescido, restituído a meu antigo estado. forças, e perfeição, verci a Deos: madrugarei aquelle lugar onde eu costumava fazer-lhe sacrificios (e madrugava pella manham, e fazia subir alcacoẽs) e assi verci a Deos. O qual eu hei de ver a mim (dativo usado no Hebraico) o qual eu mesmo hei dever: e não estranho: não ha defer outrem por mim. eu, eu mesmo farei este officio. desenganaivos amigos que tam sem causa me perseguis, calumniais, a frontais,*

F 5

dizendo

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Cap. 18. v.3. v.19. dizendo que por minha maldade estou no estado em que me vedes (*ia dez. vezes me envergonhastes, nam vos correis de vos endurecerdes contra mim.*) desenganaivos, e sabeí, que indaque vos tenho dito, e vos o vedes, *Em a minha pelle, e em a minha carne se pegou o meu osso, e fiquei como a pelle de meus dentes* (com a pelle pegada nos dentes.) com tudo isto tenho esperanças certas, antes sei que me hei de ver levantado deste estado, e tornado ao meu primeiro: estarei sobre meus pes, verei minha carne restituída, e irei dar graças a Deos, e offereçerlhe novos sacrificios. tudo isto vio Liob cumprido em si despois que o Senhor levantou d'elle seu açoute como se le no fim do livro. elle mesmo foi ver a Deos, e pellos mesmos seus amigos offereçeo alçação. E de verdade bastara para desenganar os que mesmo a si se enganao, entendendo este lugar diferentemente do que he, a muita clareza com que em outros muitos fala nesta materia o mesmo livro de Liob negando levantamento aos defunctos como ia atras mostramos.

Alguns querendo mal entender a palavra, por derra deiro, interpretam, no fim do mundo, e juizo final que vamente imaginao, como que se nam podesse ser derradeiro, e derradeiro mui breve, e limitado em poucos dias conforme o sojeito deque se trattasse. *que te deu a comer man em o deserto, que nam conhecerao*

Dent. 8
v.16.

scua

Das traducções.

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*tem pais por causa de te affligir, e por causa de te tō-
tar para fazer bem a ti em o teu derradeiro. este
derradeiro se limitou no fim de 40. annos que
o povo andou em o deserto antes de entrar
na terra prometida. falava pois Iiob do fim, e
derradeiro de sua infirmitade, e não falava do
derradeiro dia do mudo que nunca acabará.
mostrase claro pello fim do livro: e bēdisse o Sen- ^{Cap.}
hor ao derradeiro de Iiob mais que ao seu principio, ^{ult.}
e forão a elle quatorze mil ovelhas. este era o derra- ^{v. 12.}
deiro de que Iiob falava, e este o que esperava.*

Tambem sonhaõ por que alli se le: e de mi-
nha carne verei a Deos : que o homem real,
evitavelmente ha de ver a Deos no ceo despois
de resuscitado. ver a Deos he adoralo no tem-
plo, e lugar dedicado ao culto divino : *Não sa-
raõ vistas minhas faces em vazio* : nam vireis di-
ante de mim ao lugar de minha morada sem
trazer que me offerecais , e entam vio Iiob a
Deos quando convalescido foi a offerecerlhe
alçações : falar em outra vista he desvario.

Faltanos por responder ao que diz o livro in-
titulado de Daniel: *e muitos dos que dormem em a* ^{Cap.}
terra de pó espartaraõ: estas para vida de sēpre, e estes ^{ult.}
para deshonra para desprezo de sēpre. e outra vez: ^{v. 2.}
e tu vai ao fim, e descãsarás, e estarás em tua sorte em ^{v. ult.}
fim dos dias. E dizemos que este livro de Daniel
não he recebido dos Judeus chamados , Sad-
duceus, o que soo bastava para lhe tirar o cre-
dito, e fé (por se dever ao testemunho simplez
dos

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Exame

dos Phariseus mui pouco , conforme ao que ia disemos, visto serem estes homens tais que tomaraõ por officio, ou por locura, trocar palavras , mudar , torçer , interpretar avevadamente as escrituras para confirmação, e firmeza de seus confusos sonhos , e desatinos querendo por estes falsos meios a judalos) quando por si mesmo nam se mostrara a pouca verdade dos lugares referidos , doutrina toda Pharisea , contraria á doutrina da lei , escrita naquelle livro debaixo de nome de prophécia para engano do povo , e confirmação da falsa pregação. Mostra-se pois a pouca verdade dos ditos lugares , por que diz o primeiro , que muitos resusçitaraõ , e nam diz que todos resusçitaraõ , e se tal resurreiçam ouvesse de aver, era necessário que fosse geral para todos os homens , ou fosse que resusçitassem para possuir bem , ou resusçitassem para possuir mal , conforme ao que cada hum vivendo mereço. E como os Phariseus pregem , e digaõ que a resurreiçam nam he para todos, mas somente para alguns , como tambem as almas nam são todas immortaes , mas huãs si , e outras nam, ia fica claro que a escritura foi feita , e accomodada para provar , e authorizar sua tam falsa, e errada pregação. O mesmo se vé pello verso ultimo em quanto diz gozaria Daniel , e estaria em sua forte no fim dos dias: por que os Phariseus ensinam que no tempo
que

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que vier o Maffiah se levantaraõ os mortos para possuir cada hum sua herança em a terra de Israel, doudice , e locura defatinada , para cuia prova se aproveitaraõ de falsa escritura. outras cousas se achaõ no livro de Daniel que bem mostram , e publicam sua artificiofa invenção. alli he a primeira vez que achamos nomes de anios nomeados por seus nomes, que atelli nam aviamos sabido , nem por lei, nem por outros livros, etodo seu estilo, e modo, he huã fabricada composição. E nam pareça a algum cousa difficultosa aver escritos, e escritores falsos , por que se quizer abrir os olhos , nenhũa cousa verá que mais ordinaria seja entre os homens. quem fez o livro de Judith , e teçeo aquella historia ? quem o terceiro , e quarto de Esdras ? quem o da sabedoria, e outros muitos que nam he neçessario referir ? pois tambem a historia de Esther he neçessario que entre neste numero. Nam faltaõ escritores falsos, prophetas, sonhadores mentirosos , que a tudo se estende a malicia humana ; amoeftações temos da lei que nos avisou, e quiz fazer a cautelados, quem a sua verdade se apegar de todos os erros escapará. he finalmente aquella doutrina escrita no livro de Daniel, doutrina nova contraria a doutrina da lei, e outros livros que suas pizadas seguê, e assi por tudo nada della curaremos, ou devemos curar. E mostrado que temos ser o ho-

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mem todo mortal (pouca neçessidade tinha de se mostrar o que leve) e não lhe restar outra vida para viver , veiamos os inconvenientes, ou males que se seguem do erro contrario.

*Cap. 3. Em que se poem os erros , e males que pro-
cedem de se ter a alma do homem
por immortal.*

COMO de hum absurdo costumem a nascer muitos absurdos , e de hum erro muitos erros; são tantos os nascidos desta errada opiniam , ou locura , sobre a immortalidade das almas , que nam será fácil manifestal-os . Os Phariseus que samente a çertas almas deraõ immortalidade , bemaventurança eterna , e tambem males eternos : para nam condenarem essas almas facilmente aos tormentos, disseram , e dizem que quando aconteça fazer huã alma em hum corpo obras por onde mereça ser condenada : ou faltandolhe por cumprir algum mandamento , a torna Deos a mandar vir em segundo, e terceiro corpo até-que ganhe , como elles dizem , o paõ que no çeo ha de comer. introduziraõ tambem hum lugar de purgatorio no qual podessem purgar seus defeitos as almas dos que foraõ medianamente bons, em tanto que para este fim as degrada Deos muitas vezes , e mete dentro nos ani-

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animais (animais bachareis devem ficar) paraque alli se purgem. e assi por que pode acontecer andar a alma de hum homem dentro de huã vaca, quando se degolar aquella vaca, seia demaneira que sinta pouca pena. (que os animais se degolem com piedade bom, e direito he, mas nam por esta causa.) E quando nenhum destes remedios basta, e a alma foi tanta má que merece ser condenada, a manda Deos ao lugar dos tormentos eternos, onde para sempre viva penando; e nisto veo a parar, e se lhe converteo a gloria que esta alma possuia de antes no çeo, morando como elles dizem, debaixo da cadeira da Divindade (alma tola que se nam soube bem pegar, e se deixou lançar qua a este mundo.) pergunte agora alguem a estes quem foi que tanto lhes disse pois a lei lho nam disse, ou em que fundação seus ditos; pintores falsos : novos çensores da justiça divina, maravilhosos, e espantosos navista do rude povo que com admiração os ouve.

Em pos os erros alima seguem logo outros, como são, fazer oraçois, e rogarivas pellos mortos : offereçer por elles a Deos offertas para os ajudar a tirar mais cedo das penas do fingido purgatorio : mil abusos; e superstições que se usão em seus enterros : cousas todas que muito offendem a verdadeira lei, e culto divino que detais nugas se nam serve, nem paga, antes as reieita, e abomina.

Aos

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Aos erros acompanhaõ como adjuntos neçessarios muitos males, que naõ ha erro que possa parir algum bem ; e assi esta locura tem obrado no mundo muitas , com dano , e perda dos donos della. da qui nasceo que desprezãdo muitos os bens, ou males presentes, com esperança de maiores bens, e temor de maiores males , instituirãõ novas ordens , e regras de viver, condenando , e sujeitando seus corpos a rigores, e durezas, da lei nam pedidas, e dos bons naõ seguidas : morar nos montes, comer mal, e vestir pior, e o que mais he, chegarãõ atanta locura , que iulgaram por cousa mais sancta, e religiosa o estado dos solteiros que o do legitimo matrimonio divina, e naturalmente instituido. outros offereçerãõ suas almas ao martirio, e cutelo nesçiamente, e as vidas que os antigos padres tanto estimavam, como prodigos , e desafiados vamente , e sem causa largaram , e deixaram. assi que andando enlouquecidos debaixo de falsas esperanças, e promessas, que a si mesmos sem perguntar a Deos se fazem, naõ sabem o que buscão, e por que sam indignos dos bens presentes, nam mereçem que Deos lhos de , nem licença para usar delles.

Bem algum que possa nascer desta falsa opiniam , nam o ha , por que se estes diserem que senam ouver maiores bens, ou maiores males, os homens nam temeram a Deos , e cada hum fará

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fará sua vontade, nenhuma cousa dizem. muito mais teme o ladrao da forza que ve presente, do que teme do inferno que nam ve; e quando o castigo he duvidoso, ou he ameaçado para longe, responde, que tambem os ameaçados paõ comem. Não he assi nos castigos presentes, e que de breve se pagaõ, antes se hum vai para matar, e lhe lembra que se matar lhe cortaraõ a cabeça, e refrease, e nam mata. E se nam refrear com o medo da morte presente, memos o fará com o medo futuro, de que sempre lhe fiquaõ esperanças de escapar. assi os iuizos, e castigos de Deos com os homens de presente, podem muito mais para os dobrar, que ameaças futuras, que haõ de ter comprimento em vida nam conhecida. serve o soldado na guerra, onde tem mais certa a perda que o ganho, por estipendio tam limitado que escassamente pode viver: melhor servirá o homem a seu mesmo Deos a quem tem obrigaçam do servir, e que esse mesmo serviço paga diferentemente. serviço tam leve que parece, nam he nada. *E agora Israel que pede o* Dmt. 10. 12.
Sñor Deos ten de ti senão que temas ao Sñor Deos teu, que andes em todos seus caminhos? caminhos de direito, caminhos de justiça. caminhos suaves, e leves, que os que nam estam pegados na tortura amaõ, e deseiaõ, e só estrompeçam nelles os perversos, e maos: *quãto se adoçaraõ a meu* Psal. 119.
padre suas palavras: mais que mel a minha boca. v. 103.

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Algun

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Algun tempo morei eu na escuridade em que veio a muitos estar , embaracado, e duvidoso com os enleos de falsas escrituras, e doutrina de fabulosos homens , nam podendo tomar firmeza , e acabar de atinar com esta vida eterna tam apregoada de tantos , e lugar onde se avia de possuir , vendo a lei de todo calada em cousas tam grandes , e de tanta importancia ; mais despois que por amor da verdade, obrigado do temor de Deos me dispus a desprezar , e vencer o temor dos homens posta somente nelle minha confianca : em tudo se trocou, e mudou minha sorte ; por que me tirou Deos de duvidas que me affligiam , pondome no caminho da verdade com firmeza ; meus bens, e minha saude foi guardada , com tam particular, e notoria assistencia divina, que os que menos queiram serem constangidos , e obrigados a assi o confessar. vivo pois contente de conhecer o meu fim , e saber as condicoes da lei que Deos me deu para guardar : nam fabrico torres no vento, alegrandome , ou enganandome vamente com esperancas falsas de sonhados bens : tambem me nam entristeco nem perturbo com receo , ou pavor de maiores males . pello ser de homem que Deos me deu , e vida que me emprestou lhe dou muitas graças , por que sendo que antes de eu ser me nam devia nada , me quiz antes fazer homem que nam bicho. E de verdade que

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de que a coufa que mais me affligio , e ~~canção~~ nestavida,foi entender,ou imaginar hum tempo,que avia bem,e mal eterno para o homem, e que conforme aoque obrasse , ganharia o bem , ou mal ; e que se então me fora dado escolher , eu sem nenhuã demora responderia que nam queria ganho tam arriscado , e me contentava antes com ganhar menos. em fim permite Deos estas opinioes para atormentar as consciencias daquelles que delle , e de sua fidel verdade se apartaõ.

Cap. 4. Em que se começa a responder ao primeiro do contrario.

SOBRE o que atras fica escrito cerca a Alma do homem fundou nosso contrario sua reposta , e quiz mostrar immortalidade da dita alma. Propos no primeiro capitulo tratar da criaçam do homem , e de suas perfeicoes, e logo começa a delirar , e se voa sem azas á criação dos anjos , e mundo invisivel, querendo corroborar seus sonhos com huas authoridades que allega, e para provar muitos mûdos traz hum verso de Iesahiahu: *Confias em o Sñor* 3^o 3^o *para sempre , por que em Iab o Sñor fortaleza dos* 2^o 6^o 4^o *mundas.* aonde no Hebraico se le, *holamim*, plural de , *holam* , que significa , seculo , tempo, idade , e nam significa o mundo, a que se chama redondeza,que esse tem outra palavra com que se nomea,e se diz, *tevel*, e nam, *holam*. affi

G 2

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que o verso nam fala neste mundo visível, e muito menos fala em muitos mundos. convidaaos homens a por a confiança em Deos, por que nelle está a fortaleza, o bem, e o remedio de todos os tempos, idades, e gerações. Vai mais por diante, e diz, que por que este mundo qua debaixo nam se podia conservar, como dizia o Philosopho, sem communicam do mundo celeste, e esta communicação era tam difficullosa como seria ajuntar os çeos com a terra, criara Deos o homem composto de ambos para que fosse como vinculo, e ligame da terra com os çeos. De modo que vem a dizer que o homem sustenta o mundo, e o faz estar, que parece ouvera de cair se o homem nam fora. Alem disto aparta a terra dos çeos, e de cada cousa faz hum mundo; sendo que os çeos, e a terra juntamente fazem o mundo, e debaixo deste nome se comprende todo seu ornato. E por que se eu ouvesse de responder a todas as cousas deste homem, e a seus militros desatinos, seria necessario encher muito papel, dando de maõ a ditos seus, que me nam importam, tratarei só de responder aos lugares em que falar contra a verdade que tenho mostrado, por que nam me obrigei a emendalo de todos seus erros, e tomar sobre isto trabalho.

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*Cap. 5. Cerca o que diz, das opiniões dos
philosophos sobre a alma, em que se
poem a verdade.*

NA M achou este bom homem , cuio intento nam he outro que afeiar a verdade, entre os Philosophos das nações quem disesse que a alma racional era mortal, salvo a Epicuro, homem , que totalmente negou a providencia divina , e se deixou dominar dos vicios , sendo verdade que os mais doutos de todos , e das nações mais politicas , disseram sempre que a alma era mortal , e o contrario tinhaõ por devaneo , e locura , achada ou entre gente barbara , ou que levada de alguns respeitos semeava esta doutrina pello povo. Pomponio Mela referindo os costumes dos povos da Thracia, diz que os Getas eraõ feros. e mui deliberados para tomar a morte , e que a causa de ser isto assi , era a opiniam que entre elles avia : por que huns tinhaõ para si que as almas aviam de tornar. outros que inda que nam tonavaõ , nam se extinguíam , mas passavam para melhor . outros finalmente , que de verdade morriam, mas que isto era melhor que viver , e assi costumavaõ chorar aos que nasciaõ , e nas mortes faziam festa , tendo por grande honra matarse a molher ,

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e enterrar-se com o marido defunto. O mesmo author referindo superstições de alguns povos de França, que sacrificavaõ aos deoses corpos humanos, diz que os Druidas sabios destas gentes, que professavaõ sciencia dos ceos, e das estrellas, e metidos em covas ensinavaõ muitas cousas em segredo aos mais nobres dellas; entre o que lhes ensinavaõ, a fim de o fazerem mais deliberados para as guerras, era, que as almas eram eternas, e avia outra vida para os que passavaõ. De maneira que os doutos se zombavaõ das gentes barbaras, entre as quais estes erros tinhaõ assento, e entendiam a causa, pella qual os que se chamavam sabios ensinavam esta doutrina, que a tantos tem dado na cabeça, e fez, e faz fazer tantos desatinos: como tambem diz Josepho que os Phariseus com a mesma opiniam levavam o povo tras si.

Mas para que nos cansarémos nos com allegações de Philosophos que falaram sem escriptura, ou para que nos aproveitaremos de seus ditos, tendo junto de nos, e com nosco Judeus, e Christaõs, que querendo, e nam querendo, vem a confessar, e dizer que a alma he mortal. começemos nos Judeus, que cousa diz o Judeu quando diz que as nações acabam por morte, e soo elle vive, se nam diz que a alma racional he de sua natureza mortal?

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tal? Agora ouçamos o Christão. todo o Christão que segue a doutrina de Luthero, e outros, dizem que a alma recebe o ser do pai pella potencia generativa. Em confessando isto, he logo força, e neçessidade irreparavel, aver de confessar sua mortalidade, e assi vem a confessar o Christão aquillo que nam quer, obrigado da natureza, e força da palavra divina. levantense agora embora os Christãos, huns contra os outros, e vendo o que se segue de ser a alma gerada pello pai, chamem nomes aos que assi o dizem, e seguem, que elles se zombam de todas essas graças, e tem tam bem fundado o seu aliçese que nam ha quem os possa combater rosto direito.

E quanto o que este diz, que Saddok, homem malino, e obstinado com a abominavel turba dos que o seguiram, tiveram em Judea a mesma opiniam dos Epicuros, de que hoie nam avia notiçia: tudo sam palavras trazidas ao fim que disemos. quem a mim que estou vivo, e cujas obras sam conhecidas no mundo, nam duvida nomear pelloos mesmos nomes, e que por soberba, e enveja (cousa graciosa) me obtinei a seguir o mal, que muito he que diga o mesmo de Saddok, e de sua companhia que lhe nam pode responder, e se outra malignidade, e obstinação nam teve mais que esta, foi dos mais verdadeiros ho-

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mens do mundo. Os Sadduceus eram a gente mais nobre do povo, como diz Iosepho, e nam gente vil, e perdida; nem sao acabados, mas são muitos, e vivem hoie. O pensamento deste mao, todo vai a afeiar, e apoquentar, e niso quer fundar sua justiça, nos pello contrario na lei, e na verdade.

- E antès que vamos por diante, para que melhor se conheça a qualidade deste homem, e o respeito que o moveo a por em publico esta forte defeza que pella immortalidade das almas dos seus tomou, contarémos o que lhe ouvimos em huã pratica sua ao povo, que junto estava. Quiz elle tratar do homem, e por a definiçam delle para dalli vir no conhecimento da alma. Dife que os seus o definiao-bem em dizer que era hum ente que falava, e nam falava como papagaio, mas com discurso. Dalli veo a dar na alma, e para mostrar que tinha contra sua immortalidade sabios de fama, allegou com Selo-moh, e por fim de toda a contenda dife estas palavras formaes. Ou seia que eu me considere assi, ou me considere assi: *Apegose d polvo mi alma: abivigame como tu palabra*: e a palavra era: *façamos o homem a nossa imagem, e semelhança*. atequi elle. Naquelle tempo me pareço mal o seu modo, por que em materias desta qualidade nam se fala para
deixar

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deixar a gente duvidosa , e embaraçada , e se a alma era immortal , e se tinha por fé , de nenhuma maneira se soffria polo em duvida . mas he costume de semelhantes lançar , como dizem , a pedra , e esconder a mão . Este he o homem que agora to mou a seu cargo a defensão da immortalidade , que no dia de ontem dise publicamente , que sua alma estava apegada ao poo , e avia mister fazer Deos milagre para lhe mudar a natureza , e sair delle .

*Cap. 6. Mostra contra o adversario
que o entendimenso não da im-
mortalidade.*

NO seu capitulo quarto diz o mentiroso Philosopho , que pois o homem entende , e o entender nam tem nada de corpo , bem poderá a alma do homem fazer este officio apartada delle , e assi fiquarse immortal . para provar este seu dito sobe aos ceos , e arma hum arruido de desatinos , e logo faz huã palhada , e no cabo de tudo se encontra a si mesmo , e nam conclue em cousa alguã . Deixa Philosopho falso teu fantastico arruido , em que o tempo he mal gastado , e com que cuidas embaraçar

G 5

çar

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gar algum ignorante que te ler , e se mas
maós tens com que bem poder defender-
te , poente comigo de cara a cara , provarás
se podes estar. Perguntote quantas almas tem
o homem ? tens geito de dizer que tem tres,
ou quatro , mas por alguã piquena vergonha
do mundo , he neçessario que respondas que
tem huã. Se o homem tem huã alma , ou to-
da morre , ou toda vive , e nam pode morrer
em parte , e em parte viver. Por tua mesma
boca confessas no teu cap. 3. que o principal
effeito da alma , he vivificar a cousa que ani-
ma. A alma que anima o homem , he a alma
motiva, e sensitiva, em que he semelhante aos
brutos , e esta alma morre nelle , e se extin-
gue, aonde lhe ficou ao homem outra alma?
Hora acaba ia fera besta do mato, recebe, con-
fessa , e diz , que o homem he hum soieito
animado , que vivendo corporalmente se mo-
ve , sente , e entende , propriedades insepara-
veis delle por morte , que nam morrem em
parte, e em parte vivem, mas duraõ em quan-
to elle vive , e faltando faltam todas com el-
le. Doutra maneira se seguiria que a alma
que chamas intellectiva , era huã alma super-
flua , que nam dava vida ao homem , mas so-
mente assistia nelle para o governar , por que
a vida lhe vinha da alma sensitiva. E assi fa-
ziamos constar o homem , nam de huã soo
alma , em que concorrem diferentes virtu-
des,

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des, e propriedades, mas de muitas almas, diferentes, e separaveis huã da outra. Estes inconvenientes não seraõ de muita força para a tua companhia, pois chega a tanta locura, que faz no homem diferentes almas, e alguã dellas se vai de noite esporecer por esse mundo, e traz delá muitas cousas aprendidas; e no dia do Sabbado lhe entrã mais outra alma de refresco, e assi temos ia o pobre homem carregado de tantas almas que não sabemos qual he sua, e qual alhea. Melhor seria aprender a ter vergonha, e deixar de por na praça taõ soltos, e desatados des atinos.

Hase pois de saber, que a parte do homem, ou virtude intellectiva, está posta no coração, e assi como o homem sem olhos não pode ver, assi sem coração nam pode entender. Conforme a isto diz a lei: *E não deu o Senhor a vos olhos Deus. para ver, e coração para entender até o dia este.* 29.4. E do coração sabio sue sabedoria, e do coração torpe, torpeza. Assi dise bem Plinio em dizer que a mente do homem estava no coração, ao qual servem os outros sentidos, e virtudes da alma racional. Faltando pois no homem aquella parte, em que consiste, e está a virtude intellectiva, nam pode ficar, entender, cousa propria do composto animado, e que nunca por si esteve sem elle, nem obrou, e assi não pode ficar, nem obrar faltado elle.

Quia

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Quiz o Sñor Deos fazer o homem criatura racional, e pos em seu coração espirito de vida racional : morre o homem, por que faltou nelle o espirito de vida : quem não ve, que aquelle accessorio, racional, segue ao espirito de vida, e que aquillo mesmo que Deos pos no homem, isto mesmo tornou a faltar da maneira que foi posto. Ao argumento que pois Deos entende, e nam tem corpo, também o homem pode entender sem corpo, e outros desatinos não ha para que responder, e ia fiqua dito que a alma do homem nunca esteve sem corpo, nem entendeo fora delle, e assi não pode entender faltando elle.

Prosegue o contrario no cap. 5. a querer provar immortalidade, por que a vontade deſcia o que o entendimêto conheceo por bom, e a alma parece está pediando verſe livre do corpo (as dos cartuxos, e deſesperados nam duvido) com outras impertinências como eſtas, couſas todas que nam mereçem reposta. Deixemolo pois com eſta ſua enxabida, e em muitas partes, falſa Philoſophia, e vamonos antes a responder a alguás palavras ſuas atrevidas, e deſcompostas, que procedem de ſua maldade.

Diz elle : Oh deſenganeſe ia o miſeravel, e infeliçe bicho da terra taõ ignorante, que por pura ſoberba nega a ventaiem com que Deos o apartou das beſtas, ſó por ſe apartar de todo
 Israel.

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Israel. Saiba que quem nega a immortalidade da alma , está muito perto de negar o mesmo Deos, por que quem nada teme, nem espera da outra vida, não tem temor de Deos. E adiante diz mais. Em fim se as almas acabaõ com os corpos , viva e triumphe Epicuro , como disse hum antigo curioso , que com estes vivas, e triumphos acabará seus tristes dias quem chegou a tão infeliçe estado que comparou sua leprosa , e immunda alma com a alma de huã raposa, e de hum cachorro.

Sobre a ignoraçia que em mim ha , não te respondo. Em dizeres que por soberba nego a ventaiem com que Deos me apartou das bestas mostras bem até onde se estende tua cega maldade, e falsa accusação. Por que se diseres que por pura soberba me queria fazer Deos, e voar para os ceos, trazia o teu dito fundamêto, e não seria necessário trabalhar muito para se persuadiraos homens ; mas dizeres que eu me quero anihilar por pura soberba, qué te ouvirá que não conheça tua maldade , e não diga que tal casta de soberba não he conhecida no mundo? eu não me aparte de Israel : apartome dos bastardos de Israel, e por mais me chegar a elle os deixo a elles, e a ti escorea delles. dizes que qué nega a immortalidade, não espera nada de Deos, e assi não teme a Deos , nem o conhece. E agora mostras que estas metido na pelle de Epicuro por que negas a providência divina, e
dizes

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Exame

dizes que o homem vivo nam espera nada de Deos. Assim que vens a cometer tudo quanto passa no mundo ao acontecimento, e não conheces que os bñs, e males nesta vida, tudo vem da mão de Deos, que se isto bem conheçeras, nam poderas dizer que nam tem o homem vivo que esperar de Deos, nem tem sobre que o temer. E logo quando vier a teu proposito has de dizer no cap. 11. que nam era necessario fazer a lei mençam de castigo, nem premio do outro mundo, por que os presentes como de contado obrigam mais. De verdade espirito encontrado, e mau, que a lepra com que Deos ferio teu corpo, e a comicham immunda, fedorenta, e farnosa, com que te andas comendo, e desfazendo pellas ruas, consumido, e sem figura, mostra bem, e dá a entender ao mundo a immundicia, e fealdade de teu mau coração, por que estes sinais costuma Deos por por peccados, e deformidades delle. Em mim pello contrario que sinais achaste para poder chamar a minha alma, leprosa? No corpo nam os podes mostrar, que Deos por merce sua me deu limpo, e sem macula; pois que obras minhas poderás accusar que façam verdadeiras tuas palavras? Minha alma, falso amofinador, nam comparo eu a almas de raposas, nem cachorros, e sei melhor conhecer o fer que Deos me deu: tu nam, por que essa tua alma despois que sair de ti, como te ensinam
teus

Da tradicoes.

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tens divinos sabios, em hum cachorro ha de-
fer medida para a assefiquar purgada, e peniten-
ciada. E sendo isto assefi, nam tens vergonha de
falar em raposas, e em cachorros.

Se as almas acabam com os corpos, viva, e
triunfe Epicuro, como disse hum antigo curio-
so. Por certo tam torpe devia de ser como tu
es (aqui torna a negar a providencia divina.)
Se Epicuro pode viver, e triunfar a seu pra-
zer, viva, e triunfe Epicuro. Mas se em lugar
de viver, pode morrer com muita dor, e se em
lugar de triunfar, pode triunfar delle huã besta
do maro, a agoa, a peste, a espada, e todos os
males que costuma Deos trazer por seus pec-
cados aos filhos dos homẽs, por que ha de vi-
ver, e triunfar Epicuro? Sabes tu quem disse, e
falou melhor; falou melhor aquelle que disse,
que nenhum homem antes da morte se pode
julgar por bemaventurado. E se Epicuro vi-
ver, e triunfar hoie, amanha o poderam ar-
rastar, e negro triumpho sera o seu.

*Cap. 7. Responde ao seicto do adversario, em que
nega julgar Deos os homens nesta vida.*

NO seu cap. seicto trata o adversario de
corroborar sua ficçam com dizer que os
justos não são premiados nesta vida, e traz ex-
emplo de Jahacob, e Esau com o verso de Ma-
lachi:

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Exame

lachi : *amei a Iabacob , e a Esau aborreçei* : e os efeitos deste amor , e deste odio não se virão compridos nesta vida.

Dem.
32.6.

O ingrato he necessário que scia torpe, e cego, por que o desconhecimento he porta para a ingratitude. por isto diz a lei : *affi pagarás ao Senhor porve nesçio , e não sabio?* como que nam pode caber pagar mal salvo em quem tiver semelhantes defeitos, e faltas. affi acontece agora nesta allegação que traz este homem de boa vista, e nam acha em que Deos aventaiou a Jahacob, e o fez maior que Esau. pois por certo, desconhecido animal, que bastava somente ouvires tu a Deos dizer : *ou Deos de Abraham, Deos de Ischac, e Deos de Iabacob* : para entenderes que muito aventaiou Deos a Iabacob de Esau, e que soo este titulo, e esta honra val mais que muitos thesauros. Ao titulo, e á honra nam deixou de acompanhar multidão de bens, e hum favor que Deos fazia a Jahacob quando o consolava, e animava, e quando á vista dos perigos o escapava, importava, e era de muito mais estima que todos os triumphos do mundo. As palavras de Malachi referense ao direito da primogenitura, e bendição que Deos tirou de Esau, cuia era, e a passou a Jahacob, e niso amou a hum, e aborreçeo a outro. E tu parece que querias que Esau não fosse gente, nem tivesse que comer, e com tudo te que-

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III

te querias levantar a maiores. Esau tambem era filho de Jahacob, e a quem elle muito queria. Naõ vemos que fizesse maos feitos : antes mostrou ser tam pouco cobiçoso que de balde largou a primogenitura ao irmão que lha pedio. Nam queiras ser só no mundo, nem cuides que tu só has de viver, e ser gente. Bastete que na casa do Sñor, e criador de todos tens o primeiro lugar, e direito de primogenitura. porém lembra-te que quem mais recebe mais deve ; e que aquelle que he mais chegado ao Rei, esse ha de andar mais apontado diante d'elle, ou desviará seus olhos. Entende que Deos te tomou para te fazer muito avantaado em honra, e em todos os bens sobre todas as mais gentes suas, mas com condição que tu fizesse obras para te poderes nomear filho de tal pai, e servo de tal Sñor. Doutra maneira perderias a dignidade, e grao, e serias por cabo e nam cabeça. ia que agora es cabo, faze por tornar a ser cabeça. E se queres ver que a promessa, e bendição de Jahacob, foi sobre bens temporaes, pergunta a seu pai, e elle te responderá : *E respondeo Israhac, e disse a Esau : eis por Senhor o pais a ti, e todos teus irmãos dei a elle por servos, e com pão, e mosto o fortifiquei, e a ti agora que farei filho meu?* Gen. 27.37.

E quanto ao que trazes que os pais procuraraõ seu enterro em terra santa, cousa superflua, e desnecessaria, se nam fosse respeirando

H

a re-

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Exame

a resurreiçãõ dos mortos ; sãõ argumentos
reus. fazẽ conta que requearãõ aquellas voltas
em que dizem os soberanos sabios , se haõ de
ir revolvendo por debaixo da terra os corpos
daquelles , que estiverem enterrados fora de
terra sancta até chegarem a ella, e como che-
garem , entãõ se levantarãõ , que parece nam
podem resuscitar se nam for alli debaixo da-
quelles ares. O loucos, e desasistados , que lo-
curas, e desatinos nam tem saído de vos?

A rezaõ por que Jahacob se mandon levar
ao enterro que vinha para si em terra de Che-
nahã foi por se enterrar , como elle diz , no
enterro de seus pais ; e naquella terra que era
sua ; e lhe foi prometida para herança de seus
filhos e alli quiz morassem seus ossos por me-
moria , e alli fossem honrados , e nam fiquas-
sem em a terra alhea em esquecimento. costume
dos Reis , e dos que podem , se acontece
morrem em terras alheas , fazerem trazer
seus ossos a seus enterros, e á terra de seu nas-
cimento para se juntarem a seus passados, que
parece he aos defuntos consolação , iazerem
na companhia dos seus. donde o outro Philo-
sopho escandalizado daquella em que nasçera,
se moveo a dizer : ingrata patria nam possui-
rás meus ossos. tu nam te honrarás comigo,
nem eu terci consolação de me enterrar em ti
por seres madrastra. E assi o argumento he so-
bado para provar immortalidade da alma , e
resur-

Gen.

49. 32.

e 48. 30

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resurreição dos mortos, nem para esse fim importava mais ser enterrado em terra de Chénabán, ou em terra de Egypto.

*Cap. 8. Responde a alguns argumentos
do contrario mal fundados na
escriptura.*

CORIMUS elle nó cap. 7. a queter provar seu intento, e diz que o assopro que Deos assoprou no nariz do primeiro homem, sabio immediatamente de Deos, foi bafó de sua boca, e como tal he necessário que seja incorruptível.

Se se ouvessem de tomar as palavras da escriptura assi como ellas são, dariamos em mil barrancos, e defatinos, por que viriamos a dizer que o Señor Deos tinha corpo, e andava, tinha faces, e tinha mãos, poisque a escriptura nos nomea estas cousas falando em Deos. Logo bem se ve claramente que pois isto assi não he, não se escusa de grande torpeza, entender que Deos assoprou, e que o assopro que entrou no homem, foi assopro, e bafó de Deos, como este diz, inspirado de sua propria boca. É inda que se queira dizer que o assopro nam foi feito com boca, mas que sabio de Deos assoprando, á semelhança do assopro que se faz com a boca, nam se pode assi dizer,

H 2 por

II4

Exame

por que para Deos obrar , não he necessário que saia delle mesmo a obra por algũa acção, ou movimento exterior , mas a vontade em Deos he a mesma obra , e em querendo fazer, ia está feito. falso he logo entender que Deos assoprou, e o assopro sahio do mesmo Deos. e se tal fora , a alma do homem era huã parte de Deos, porque era baço de Deos , coula absurda, e fora de caminho.

O que se ha de entender , e dizer , he , que Deos inspirou, fez entrar Deos no naris do homem espirito de vidas, espirito com que o homem viveo , e esse espirito , ou assopro não he parte de Deos, nem sahio delle immediatamēte, mas Deos o to mou do ar assi como da terra avia fabricado o corpo do mesmo homem , e com aquelle espirito aerio vnido com aquella maça de que o homem fora formado , viveo o mesmo homem, e foi, e ficou alma vivente.

Exod.
15.

Isah.
30.

Confirma-se esta verdade por muitos lugares da escriptura : *Assopraſte com teu eſpirito, cobrio es o mar.* não assoprou Deos, mas fez assoprar o vento. *Assopro do Senhor como corrente de enxofre que ardia nella.* não era assopro do Sñor, que não assoprava neste lume , era hum vento forte, que por isto se chama do Sñor , por que assi se dá melhor a entender quãta força tinha.

E que da natureza do ar fosse aquelle assopro, dá bem a mostrar Iechezchel quando diz: *dos quatro ventos vem eſpirito, e aſſopra neſtes mor-*

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as, e vivirão. E por isto diz Selomoh que o mesmo espirito tem o homem que tem os outros animais ; porque posto que os animaes sairão da terra com a vontade de Deos logo animados, o espirito delles tem da natureza do ar, e dos elementos sairão formados, pella vontade divina. E assi por rezaõ desta composiçaõ, e concordia, definirão muitos á alma, e disserão que era, harmonia, que consta de cousas contrarias, mas temperadas, e proporcionadas.

E quando bem fosse verdade, que não he, que da vontade divina proçedeo immediatamente o espirito vital do homem, nem por isto se seguia ser esse espirito immortal, e avia mister provar que nenhuã cousa podia Deos criar, que não fosse immortal, se na criação della não intervieffe materia elemêtar. e esta prova seria impossivel fazer, por que as obras de Deos terã ser conforme for sua vontade darlho ; e da condiçaõ da criação, e soieito da cousa criada, tem cada huã ser corruptivel, ou incorruptivel. corruptivel he o homẽ. e tratado Luthe-ro de sua criação, parece que tomando a pessoa de Aristoteles, quiz dizer o que sentia, e escreveo que se a Aristoteles dissessem que o homẽ em sua origem fora terra, e com isto formado de maneira que era capaz de immortalidade, se foltaria em isto.

Allega mais de Iesahiah : *e almas eu fiz.* e Ie- ^{Cap. 17}
chezchel : *todas as almas a mim ellas : como alma* ^{Cap. 18}
4.

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Exame

- Psal.* do pai, e assi a alma do filho, a mim ellas. Item : *En*
17. *em justiça veros tuas faces: farta mohei em desper-*
Pf. 49. *tando de tua semelhança. Ité : do certo Deos remi-*
r á minha alma do poder da cova quando me tomar.

Deos se chama , Deos de Abraham , Deos de Ischac , e Deos de Jahacob , e Deos nam pode chamarle Deos de confa que nam ha.

- Exod.* Diz a escriptura : *e falava o Senhor a Moysé* *façes*
33. 11. *com faces como fala varaõ com seu companheiro.*
 E como Deos seia espirito, he necessario que aquillo a que elle se communica immediatamente seia espirito sem liga de materia.

Se Bilham nam esperava bem do mundo vindouro , nam tinha para que rogar para si morte de justos, e tanto lhe mostrava a dos justos, como a dos injustos , antes lhe vinha melhor morrer de huã effocada como morreo, que de doenças , que alguás vezes padecem tambem os justos. e assi o que em contrario se allega, diz elle , he falso , e indigno de barbaros gentios, e por sem duvida temos que presto negará a lei quem esta verdade negar. tambem traz em outros lugares o verso : *e tornará o po sobre a terra como foi , e o espirito tornará a Deos que o deu.*

- Ecel.*
12.

Aos lugares de Jeshiahahu , e Jechezchel respondemos que provaõ muito bem que Deos he o criador, e Sñor de tudo , e por isto, como alli diz , nam se agastará para sempre contra as suas criaturas. e tambem sabe como
 ha de

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ha de julgar ao pai , e ao filho , e que tudo he seu. Se isto quer provar este bem atado allegador, nos lho damos por provado. O verso do *Psalmo : eu em justiça verei tuas faces, &c.*, quer dizer que se aparelharia para apparecer no templo diante de Deos , e que o primeiro caminho que faria pella manham seria ao mesmo templo, que são as faces de Deos, como ia lhe mostramos , e nelle louvaria a Deos pellas merces de o livrar , e escapar dos inimigos. A semelhança de que diz se fariaria , para significar o fervor, e desejo com que acudiria a esta encorvação , era, por que os Cherubim que estavam sobre o propiciatorio representavaõ alguma semelhança da morada divina, que se esconde a nossa vista. A resposta do verso: *de perto Deos remirá minha alma, &c.* ia de outros lugares a que respondemos se fiqua colhendo , e nam pode dizer outra coisa, salvo, que toma Deos , e rime os justos dos laços , e maldades dos maos, o affli da cova, e morte que lhes buscavaõ. se outra coisa dissesse contra a verdade manifesta, e provada por infinitos lugares sem resposta da lei , e escriptura , logo meteriamos esta na companhia das muitas que os Phariseus fizeraõ para com ellas ajudar suas ficeões, e vaidades. Este *Psalmo* nam he de David , e entre elles ha muitos que foraõ feitos na segunda casa , quando ia dominava a doutrina Pharisica. porem mostra-se que outra coisa nam

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Exame

quiz dizer, e assi, que nelle não ha doutrina contraria á verdade, por que diz : *Deos remirá minha alma de poder da cova*: e a alma do defuncto, se a damos immortal, e que livre do corpo caminhou para Deos que a deu, não estava na cova, e assi mal podia ser remida della. e querer entender que ao corpo desfeito, e convertido em podridaõ chamaria alma, e esse corpo esperava que Deos remisse da cova, seria fazer huã alma mui trasmontada, e sem figura. nem as almas immortaes, capazes de gozar da vista, e effençia divina (ó doudiçe) tinham que aver saudades do miseravel corpo immúdo, desfeito, e consumido, para deseia rem ver se outra vez metidas nelle, antes podiam ter por nova pena se se lhes dessem taes novas. E quem não ve que para gozar de Deos, e estar em sua presença, era bem mais proprio o espirito nu de corpo que encorporado? se os authores desta doutrina dessem que o espirito acabava com o corpo, porém avia de vir tempo em que levantando Deos o corpo da terra lhe daria por nova criação novo espirito, entam podia mal vir a caber o sentido do verso, e entēder se desta resurreiçãõ, ou, por melhor dizer, nova criação. E que isto assi fosse desejava Iiob quando dizia : *Quem dera em a sepultura me esconderas,*
 14.13. *esconderas me até se tornar tua ira : poseras me prazo, e te lembraras de mim.* mas isto assi não he, e o sentido do verso fica dado.

O argu-

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O argumento que Deos se intitula, Deos de Abraham, Ischac, e Jahacob, e não pode ser chamar-se Deos de cousa que não ha, he argumento de muita graça. Se não ouve no mundo Abraham, Ischac, nem Jahacob, não poderá Deos nomear-se Deos delles; mas se na verdade os ouve, e o mesmo Senhor que se nomea Deos delles, foi Deos delles, andou com elles, os emparou, livrou, e defendeo de seus inimigos, como se não podera dizer que foi Deos delles, e como com esta nota, e final não se dará a conhecer a seus descendentes, e lhes dirá, que he aquelle mesmo Deos que foi Deos, foi forte, foi obrigo a seus pais, e foi adorado delles?

O outro argumento de como o Sñor falava a Moseh immediatamente, he tanto gracioso como o asima. parece que quer espir a Moseh do corpo que tinha, e fazelo espirito nú de carne para assi se poder verificar a linguagem da escriptura. porém elle com seu corpo entrava, e sahia, e não o deixava no portal, he pois o sentido, que não falava Deos a Moseh em sonhos, ou visões, mas de maneira que Moseh ouvia de perto a voz que com elle falava como podia ouvir a voz de qualquer homem, que he o mesmo que o Sñor disse a Abaron, e Miriam quando se quizeram igualar com elle.

O que junta de Bilham, e que tanto monta a morte dos justos como dos injustos, e

H 5

tanto

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Exame

tanto monta morrer as estocadas calcado aos pés dos inimigos como na cama, são cousas, que bem mostraõ çegeira, ou por melhor, maldade de hum torto, e mau coração que de toda a maneira quer falar contra a verdade, e se eu agora lhe rogar que em poder de inimigos morra, he çerto que logo dirá que eu sou o mor inimigo, e que o mate Deos na sua cama. Nam te quero rogar nada, matete Deos como quizer, mas se louco nam estás, pedelhe que seia antes morte de justos *assi* como pedia Bihham. E quanto o que dizes dos barbaros, e gentios, e que presto negarei a lei: cousas dizes tu que o mais torpe, e fero gentio nam pode dizer pior. E a lei nam has de negar, mas ia a negas, pois *desdizes* o que ella diz, pondo em teu lugar a mentira, e, o que mais he, das a Epicuro larga licença para poder triunfar, negando desta maneira os iurizos, e providencia de Deos na terra.

Psa.
104.

fiqua por responder ao verso: *E tornar á o pó sobre a terra, &c.* E dizemos que se nam avemos de chamar nomes a esta escriptura, será o sentido como nos versos emque se diz que recolhe Deos o espirito dos animaes, nos quais se nam entende que despois de recolhido esse espirito fique alguma cousa. *assi* aqui dirá, que o espirito anda, ou torna a Deos, nam por que *ande*, ou torne alguma cousa despois de tirado elle do corpo. E naquelle capitulo se vñão muitos ro-

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tos rodeos, e figuras para vir a dizer huma cousa : assi no verso allegado para vir a dizer, antes que morras ; ou venha o dia da morte quiz dizelo daquella maneira : antes que o pó torne á terra, e se aparte o espirito delle.

Mas se nos avemos de dizer o que sentimos, ou o que se deixa ver, todo aquelle capitulo he hum capitulo dos divinos sabios, sabios altamente, que nam vsão da lingoagem dos outros homens. assi para representar a velhiçe começaõ com humas arengas : *antes que* *Ecd.*
se escureça o sol, e a luna, e estrellas, e tornem as nu- 12.26
ves tempos a chuva. Em o dia que se moverão as
guardas da casa, e se perverserão os varões do forte-
lexa : com o mais que alli segue, comprido pa-
ra tressladar, que elles mesmos declaraõ, fol-
tando aquelles enimas compostos de sua casa,
e manifestando assi sua muita sçiença. Dize-
mos pois que aquelle estilo guardado naquel-
le capitulo nam he conforme ao estilo que fi-
qua atras em todo o livro, e foi hum aceref-
çentamento feito pellos sabios para prova da
immortalidade, que no discurso fiquava nega-
da por muitas vezes ; e he o verso allegado
contrario directamente ao que neste livro se
publica sobre o espirito do homem. Mostra se
mais a ficção por que diz: E tornar á o pó sobre a
terra como foi, e o espirito tornar á a Deos que o den-
lingoagem avessada, por que primeiro o espi-
rito sae que o corpo torne á terra. Sairá sem es- *Psa.*
pirito 1469

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Exame

pirito, tornará a sua terra. mas allude a huma fabula, por que estudaram estes homens que o espirito não podia ir logo para o ceo, mas era necessario ter qua na terra alguma demora para purgaçam, e assi não se parte deste mundo até que o corpo se converta em terra. E para que se converta em breve, se busca, e deseja terra que tenha virtude, e força para gastar, e consumir. Da qui vem dizerem que estes espiritos defunctos sabem o que se faz, e passa no mundo em quanto andaõ nesta regiaõ do ar, e não voaõ mais para cima. Assi que o verso falso traz consigo todos estes segredos, e maravilhas, e por isto a lingoagem d'elle he trocada, e aversada contra todos os lugares da escriptura, e não se dará hum semelhante a este.

*Cap. 9. Que a alma do homem está
no sangue.*

DEs pois que o adversario provou ao seu modo a immortalidade da alma, como se vado que nos capitulos atras fica escripto, prosegue no seu oitavo a querer responder a nossos fundamentos em que fundavamos sua mortalidade. E primeiro de tudo diz que fizemos huma definiçam abusada, sem genero, nem differença, que se deve ás verdadeiras definições. Não sabe este coitado, e miseravel Philosopho como dé a entender aos homens

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mens que estudou por Aristoteles, e assi sem propolito nenhum nos conta agora que a definiçam dialectica ha de constar de genero, e diferença, e não ve o torpe que não foi nossa tençam fazer definiçam dialectica limitada em çertas palavras, por que não falamos com dialecticos, mas foi declarar, e dar a entender que cousa se chame, alma, a homens que se lhe possessem diante a definiçam de Aristoteles, ou outra semelhante, e lhes dissessem que elle a definia: substancia sensivel, e movel: ou, forma do corpo natural que vive: averia mister declarar-lhes que cousa se chamasse substancia, ou forma, e dar-lhes a entéder estas definiçoës em todas suas partes. e assi em lugar de mostrar, e provar por lei, e por rezoens claras nosso intento, nos divertiriamos sem fructo em declarar os termos da Logica, cousa tão alhea, e despropositada.

Indo por diante nos accusa porque disemos que a alma do animal era o seu sangue espirituado, e que nelle consistia a dita alma, como a lei dizia; e sobre isto diz que a lei falou por metaphora, mas não por que na verdade assi fosse; porque a alma era huma substancia incorporea, indivisivel, fonte, e principio de vida, e o sangue pello contrario, corruptivel, divisivel, tam longe de ser alma, ou proprio sujeito della, que nem vida tem, nem he parte integrante do animal, e mal poderia
huma

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Exame

humta tão vil , e baixa materia ser alma. Pello que nam se pode soffrer , diz elle , a ignorancia de hum idiota que sem saber o alfabeto da philosophia se atreve a definir almas , sendo sua ignorancia tanta , e tão crassa que as palavras da lei ditas sobre a alma do bruto , e tão mal entendidas delle,as applica no mesmo sentido a alma do homem sem mais prova que dizelo elle , e não sabendo que o sangue do homem não he vedado por lei.

Naõ duvido eu que os homens de entendimento , considerando as cousas que este diz, me escusassem o trabalho de responder a ellas, mas pois são comumas a todos , não será bem deixalas de todo sem resposta. Alem do testemunho da lei que diz que a alma do animal he o seu sangue , e nelle está , e consiste a dita alma, he isto cousa mui antiga , e trilhada entre os Philosophos. Hum chamado, Criçias, para mostrar , e confirmar que a alma era o sangue, trazia por prova que as partes dos animaes que carecem de sangue , como são os dentes, as unhas , os cabellos , não sentiaõ , donde se seguia que a virtude da alma sensitiva procedia do sangue, pois onde não avia sangue, não avia sentir. E posto que contra esta prova se lhe queria dar humta instancia, dizendo que os nervos careciaõ de sangue , e alguns animaes como as vespas, e abelhas não tinhaõ sangue, e com tudo nelles avia alma sensitiva : a esta
iiistan-

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instancia responde convenientemente Origenes, hum Doutor Christaõ, cujos escritos condemnou a igreja Romana no livro segundo dos principios, dizendo, que posto que os taes animaes naõ tenhaõ sangue, tem humor da natureza do sangue, e nenhuma cousa se deve curar de que este humor tenha a cor do sangue, ou naõ tenha, pois na substancia faz o mesmo officio que faz o sangue nos outros animaes; e assi confirma o mesmo Origenes pella lei que a alma dos animaes he o seu sangue, e allega os lugares della. donde o Poeta Latino principal, para dizer que hum morrera, converteo galantemente, e dise, que lançara a alma vermelha. De maneira que dizer este que a lei falou metaforicamente, e que nem o sangue he alma, nem a alma consiste nelle, he dito de hum mao, que tudo entende as avesas, e os lugares metaforicos, e allegoricos entende propriamente, e os em que se acha lingoagem propria, e se devem entender propriamente, esses quer trocar, e fazer improprios. e sobre ser este, tem taõ pouca vergonha que nos diz estas palavras. Para que nos cansarémos explicação a metaphora deste passo a quem se obstinou a tomalos todos á letra. deixemolo cuidar, e dizer que o homem he hum tronco com ramos, e raizes, ia que a lei diz que o homem he arvore do campo.

Dist.
20.

O torpe, falso, e mao, atado, e çingido com correas,

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correas, que por entenderes bem a lei, entendes que ella te mandou assi atar, e com hum feixe de ramos nas mãos iugar, e florear diante de Deos com outras a este tom : eu sou o que tomo a lei á letra, e sem discriçam abraço as palavras nuas, e cruas? ou sou eu o que busco, e cavo seu sentido verdadeiro, e o busco na mesma lei? e logo teus peccados quizeram que trouxesses hum exemplo com que mais se manifestasse tua torpeza, e maldade. A lei não diz que o homem he arvore do campo : pergunta se he arvore do campo, e tu affirmas que ella o diz.

Define elle a alma dos animaes, e diz que he huma substancia incorporea, indiuisivel. E se bem Aristoteles, e outros Philosophos que poseram qualquer alma incorporea, consideraram, e comprehenderam na mente alguma cousa incorporea a que chamaram alma, toda via disseram que não podia estar sem corpo, e em dizendo, alma, he necessário dar corpo animado della, e não se dá alma sem corpo. e assi importa pouco para nosso fim avirigoar esta questam. somente responderemos ao que diz este Philosopho no seu cap 4. que se a alma tivesse alguma cousa de corpo, sendo que ella está vnida ao corpo, se seguiria estarem dous corpos juntamente em hum lugar, cousa contraria, e repugnante. E dizemos que a alma tem seu lugar no corpo como tem as outras

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tras partes delle; e posto que no corpo há nervos; e ha carne, e ha ossos, e estes corpos se acham juntamente no corpo, nem por ilo são incompativeis, nem se penetram hums com os outros, mas unidos, e juntos fazem hum corpo composto. Tem pois a alma seu lugar primeiro no coração, o qual se chama fonte, e principio de vida, por que delle saem as veas, e arterias da vida, que se chamaõ vasos, e recolhimento do espirito vital, misturado, e unido com o sangue, e quando o sangue se reparte pello corpo, não faz dous corpos em hum lugar, mas faz hum corpo, que consta de carne, e sangue. Assi que a alma he o espirito vital no sangue; agora veia elle se a este espirito no sangue quer chamar, substância corporea, ou incorporea, e o que quizer lhe chamaremos. Porém se de melhor a declarar aos homens com quem fala, e nam lhes diga secamente que as almas (aqui entram as dos animaes) são huma substância incorporea, sem lhes dizer que cousa seia esse substância, por que quem o ouve ia cuida que as almas das vacas, sendo substâncias incorporeas, poderám estar fora do corpo.

Deixo de referir as diferentes sentenças dos Philosophos sobre afinar, e declarar o ser da alma, e que cada hum lhe deu este ser conforme ao que entendeu avia sido o principio das cousas, como, os que disseram que o fogo ele-

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mentar era o principio, poseram o ser da alma da mesma natureza do fogo; e os que poserao o ar por principio, poseram o ser da alma da natureza do ar. Os que poseram a agoa por principio, poseram o ser da alma da natureza da agoa; e os que poseram quatro elementos por principio de tudo, de todos os quatro elementos poseram o ser da alma. Deixo, como digo, de referir estes juizos, e outros que servem para disputas philosophicas, pois nam sam de nosso proposito.

Diz mais o philosopho que mal poderá hum tam baixa, e vil materia como he o sangue ser alma. E de verdade fingido philosopho que sem muito estudar por Aristoteles, com a philosophia racional que Deos me ensinou, te posso eu bem mostrar, quam grande seia tua torpeza naquillo mesmo, que conforme tua profissam devias saber. Dizeme negador da verdade, contrafeito, e falso, a materia de que nos nos geramos de que quilates he? nam he hum humor da natureza do sangue, e dos sobeios do alimento, que a natureza toma para si? pois se deste humor se gera a alma dos animaes (deixemos agora o homem) que inconveniente grande achas que o humor sanguineo seia a mesma alma, que sustente, anime, e tenha em pé o mesmo animal gerado de tal humor? O teu Aristoteles diz que a geraçam se faz por calor, e com calor, e que do calor
toma

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toma ser a animação, e a vida nam he outra cousa que a duração deste calor, o qual se não he refrescado do ar se consume, e a materia da vida he humor, e calor. Pois se isto assi he, e no sangue somos animados e nutridos, e primeiro que seiamos, elle he, e despois de ser, por seu beneficio vivemos, e sem elle nem ha vida, nem ha ser, como tu chamas ao sangue nomes, materia vil, e baixa, que nem vive, nem he parte do corpo? O sangue vital he a mesma vida, e se o coração se chama fonte, e principio de vida, he, porque delle mana, e se reparte este sangue por todas as outras partes do corpo; E o mesmo coração fonte de vida, por amor do mesmo sangue vive, e se o sangue lhe faltasse, nem vivera, nem fora fonte; que a fonte se chama assi, por amor da agoa, que em si tem, e della corre, doutra maneira ia nam seria fonte. Parte integrante do corpo como tu dizes (nam sei para que falas latim com homens que te nam entendem) seia a mão, e seia o pé; mas sem mão, e sem pé poderemos viver, e toda via nam poderemos viver sem sangue; logo aquillo sem que nos nam podemos viver, será de mais estima que o outro, que faltando em nos, inda nos fica o ser, e a vida. E ao que cortou huma mão pedemlhe huma mão, e basta, mas ao que tirou a vida pedemlhe o sangue todo. Logo como tu chamas nomes ao sangue? Em fim este es tu, e sendo este, e que

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Exame

na tua philosophia fazes tantas erradas , me chamas a mim idiota nella, e dizes que me atrevo a definir almas sem tua licença. Pois nam cuidarás, espirito mau, que inda que nam professei logica, e philosophia, nam serei tam desemparedado da noticia della , e que sei que cousa sam definiçoens , que isto me foi necessario saber para o que professei, e tambem leo por Aristoreles? Pois se quizeres ver os curtos das tuas artes mais perfeitos do que tu os escreveste nos bancos , em meu poder os acharás.

Segue-se mostrar que assi como a lei diz que a alma da carne está no sangue , no mesmo está, ou consiste a alma do homem, ja que este mau negador nos obriga a provar cousa tam clara. Provasse pello texto no Gen. cap. 9. nestas palavras: *Tam samente a carne com sua alma, seu sangue não comereis. E de verdade o vosso sangue a vossas almas demandari : de mão de toda a besta demandarei a elle: e de mão do homem, de mão do varão seu irmão demandarei a alma do homem.* Ja se vé claro do texto que da mesma maneira que a lei diz que o sangue he a alma do animal , assi diz tambem que o sangue do homem he sua alma. O mesmo podera mostrar por muitos outros lugares , mas escusado he fazer mais allegaçoens sobre cousa tam manifesta, e hum texto basta.

2. Se prova por demonstraçam, porque assi
como

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como o animal morre tirandolhe o sangue, da mesma maneira morre o homem, e se sua alma nam consistira no sangue como consiste a do animal bruto, nam morrera o homem por falta do sangue, pois outra era a substancia que o animava.

Vamos ao ultimo desatino deste perverso nam menor que muitos dos seus, em que nos accusa de ignorãcia, por que não sabemos, como elle sabe, que o sangue do homem nam he prohibido por lei, e mostremos, pois nos obriga, e traz a isto forçados, sua impia e grossa çegeira.

1. A lei natural ensina que o sangue do homem não he comida aparelhada para outro homem, e por conseguinte vedada: A lei divina não revogou a lei natural, nê dispensou cōtra ella: logo aquillo que era vedado por lei natural, tambem ficou vedado pella lei divina.

2. A lei divina concedeo ao homem a carne dos animaes por comida, vedá dolhe o sangue, e nam lhe concedeo a carne, e menos o sãgue de outro homẽ: logo aquillo que lhe não cõcedeo, iso lhe deixou vedado, e assi lhe deixou vedado a carne, e sangue de outro homẽ.

3. A lei divina diz que vingará o sangue do homem da mam da besta, e da mam de outro homem, e assi veda o derramamento delle: logo bem veda o uso delle.

4. A carne do animal que nam rumia, e
I 3 fende

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fende unha, e muito mais o sangue he vedado por lei : O homem nam rumia, nem tem unha para fender: logo a carne, e muito mais o sangue do homem será vedado por lei. Em fim a pena nam pode ir mais por diante , venham bridas, e venham freos, e enfreense com elles bocas tam más, e des enfreadas.

Fiqua que o coração do homem , e por conseguinte o homem, he animado do seu sangue, e faltandolhe o sangue, lhe falta a alma; o que mesmo confirma a linguaagem, ou phrase comum, e usada, porque ao que nam tem sangue chamámos desanimado, e quando hum esta propinquo a morrer, e se lhe vam esfriando os pes, e partes inferiores, dizemos que ia alli nam tem alma , por que o sangue lhe falta , e com elle o calor , e assi por tudo se mostra ser o corpo animado do sangue. O lugar da lei que allega : *Não penhorará a moço debaixo, e moço desima, por que a alma elle penhoraria* : faz mais a nosso proposito ; e diz que seria tanto como penhorar na alma, por que o paó ganhado por meio das moos, se vinha a converter em sangue, que era a alma real , e verdadeira , como delle tinha dito nam huma só vez.

O que mais diz que o homem anda direito, e outras impertinências , tudo são parvoíces que nam merecem reposta, e só lhe queremos mostrar que nam entende o verso : *Candeia do*
Prov. 20. Sñor a alma do homem : pois o applica sem proposito.

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posito. E quer dizer, que o lume da razão que Deos pos no homem, he candeia, que lhe serve de luz para seu governo, como tambem lhe serve a lei, e assi diz outro verso: *Candeia o mandamento, e a lei luz.* Que ara isto com a immortalidade, de que só se mostra ser o homem racional? Prov. 6.23.

Cap. 10. Que o homem gora se fôr semelhante.

DI Z o inimigo no seu cap. 9. Dado hum absurdo se seguem muitos, e assi se ve agora neste contrariador salto de letras, que tomando por certa, e verdadeira huma proposição falsa, a saber, que a alma do homem era assi como a alma do bruto, logo vem com outro tal erro dizendo, que tambem os brutos, e os homens, são semelhantes, e iguaes na geraçam, e que as almas dos homens procedem da materia, assi como della procedem as almas dos brutos.

Quem nam tem vergonha, e mette sempre em cousas de mais pezo, que muito he que se desavergonhe tambem agora em outras mais leves. Nas letras nasci eu, e da mama posso dizer me tiraram para ellas, pois de oito annos entrei na grammatica Latina; e eram ellas tam proprias, e naturaes para mim, que a tudo o mais furtava o tempo para o dar a ellas. Assi em diferentes estudos gastei a vida-

I 4 de,

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Exame

de, e posto que minha profissam foi estudar direito, a curiosidade me levava tambem a saber o que diziaõ os Theologos, e a revolver seus escritos. Se tinha bom cavador com que cavar neste estudo, não direi eu agora, e esperarrei o testemunho daquelles, que em materias delle me trataraõ, e conheçeraõ. Pois até onde se ha de estender a malicia, e desavergonhado atrevimento de hum desventurado, deshonra da mediçina, pezado, e torpe de entendimento, que sem ter com que, se atreve a querer dar couçes, e falar em letras a quem lhe pode ensinar a entender os mesmos textos de Galeno, que elle contra rezaõ trilha nas maons sendo raõ pouco aparelhado? E

Vindo ao proposito principal: o homem gera seu semelhante, em todo perfeito; e he esta conclusaõ raõ verdadeira por rezaõ, e por lei, que com ser Christaõ Lutherô, e ter por fé que as almas são immortaes, nam pode negala. E advirte elle muito bem, que era couza alhea da justiça divina, encorporar huma essencia limpa, e pura em hum corpo immundo, e peccador. Outro si nam inspirou Deos na mulher que fabricou da costela do homem espirito de vida, por que era costela de homem vivo, e animado, e nam tinha neçessidade de nova alma. O mesmo vem a dizer este espirito mao sem se sentir posto que elle o nam queira confessar.

Diz

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Diz elle que por todos os philosophos, e medicos he recebido que da virtude seminal do homem procede a faculdade da alma sensitiva, e motiva em que o homem he semelhante aos brutos, e assi nam fica inferior aos mesmos brutos na potencia generativa, pois de sua semente fae o mesmo grao de alma que fae da semente dos brutos, e inda mais perfeito. Assi que ja por sua boca temos que o homem gera a alma de outro homem, com que vive, sente, e se move. Agora vem a alma intellectiva de fora, e entra no homem, e pois que o homem ja sem ella vivia, sentia, e se movia, esta alma nova que lhe entra, ja nam he para viver, sentir, e mover-se, por que tudo isto tinha o gerado antes de ella entrar. Logo esta alma vem para falar no homem, e nam tem nenhum commercio com o corpo, nem está ligada com elle para o animar, cousa que elle ja tinha. Este no cap. 3. reprova a opiniam de Platam, dizendo que o principal effeito da alma, he vivificar o corpo que animá, e a alma que nam fizesse este officio, salaria no homem, como falavam os espiritos nos idolos. Logo a alma racional que entra no corpo ja vivo, e animado, e não entra para lhe dar vida, entra para falar nelle, e assi a opiniam de Platam fica outra vez em pé, ou no homem lhe nam entra outra alma nova, e o entender he huma propriedade,

I 5 e vir-

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e virtude nam apartada da materia , mas que della mesma sahio assi como sahio ver, ouvir, lembrar-se , e as mais virtudes da alma sensitiva. Assi que este sem se sentir , diz cousas de todo contrarias, e nam sabendo de que valer-se, como a falsidade nam pode estar, elle mesmo se fere, e se degola.

Tambem eu lhe quizera perguntar se a alma racional açertasse de deter-se no caminho, e se arranhasse , e embaraçasse em alguma silva da sua casta , e assi se esqueçesse de fazer sua iornada, e nascesse o gerado com alma sensitiva, faltandolhe a racional, que casta de animal avia de ser este gerado? se avia defalar como pega, se andar a casa das lebres como galgo, ou no campo comendo erva entre as bestas, da maneira que em outro tempo andou Nebuchad nefar? Em fim he mais que locura dizer que o homem nam gera seu semelhante.

Responde elle ao fundamento que posemos sobre dizer a escriptura que Adam gerara á sua imagem, sua semelhança, que isto se entendia pellas qualidades , e virtudes , que nam ouve nos filhos primeiros. E assi para fazer seu erro bom , vem a condenar Hebel por mau , cuja offerta nos diz á mesma escriptura que o Sñor recebeu, indício certo de sua bondade.

Segue mais no cap. 10. e sobre condenarmos os que dizem que Deos criou as almas todas por junto, e os que dizem que por criação

ção

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ção nova as cria cada dia, e as infunde nos corpos, escreve elle taes palavras. Não sei se algum legislador falou mais atrevido, e resolutos que este espertador da torpe, e ia ha muito sepultada seita de Epicuro, que por ser em materia tão grave, ou por melhor dizer, tam leve em seus olhos, nam se arreveo, nem lhe pareceo allegar lei, nem rezoës, mas nenhuma podia aver para dizer que huns sonharam desatinos, e que outros tem fracos, e caducos fundamentos, sendo certo que isto das almas, como, e quando entraõ nos corpos, he huma das grandes maravilhas de Deos; e se elle as criou juntas, e as tem no mundo das almas, ou as vai criando huma, e huma, que faz isto a nosso caso, ou que mais lhe custava fazelo assi que assi?

Por certo se hum cavalo falara, não respondera desta maneira, e agora mostra bem ao mundo este malino, nam ter firmeza, fundamento, nem fé naquillo que segue, pois que sendo, como he, verdade, que a sua tradiçam que elle, e os seus dizem veio da boca do mesmo Deos, ensina, que criou Deos as almas no principio, e as manda aos corpos em certo tempo, agora diz que isto he cousa a nos occulta, e que fosse assi, ou fosse assi, o mesmo he. Que tradiçam, ou que fé he logo a tua, torpe, e mau, pois nam tens certeza do que cres, e has vergonha de sustentar, e defender o que ella diz, e hora falas como Phariseo, hora fa-

las

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Exame

las como Christam, e nem defendes o teu, nem o do Christão approvas, mas como grouo fiquas com hum pé no ar, e de tal maneira cantas de deus choros que vens a cantar de nenhum, e em resolução dizes que não sabes? assi que ia negas a tua fé, e mostras que a nam tens. Pois o Christam Romano se lhe perguntarem como isto seia, sem demora ha de responder que Deos cria as almas de novo, e por nova criam as infunde nos corpos, e quando nam tenha provas com que provar, diz que assi lho manda crer a sua fé.

Dizes que eu nam me atrevi, nem me pareço, allegar lei, nem rezoens em prova do que dizia; no que bem mostras teu pouco saber, e tua torpeza. Tu que propoens, e dizes que as almas foraõ criadas por junto (ja não sei o que dizes pois que tu mesmo o não sabes) tu tens neçessidade de provar por lei, e por rezoens. E por que tu não podes provar, nem por lei, nem por rezoens, e as tuas provas são provas de falso depravador, mais dignas de escarneo que de reposta, muito deseio terá de escrever quẽ sobre nugas taes gastar seu tempo, e trabalho. Em fim agora te mado ao curso da dialectica Conimbricense no 2. tomo, questao 1. sobre o primeiro livro das posteriores de Aristoteles artigo 2, e ao mesmo Aristoteles nos lugares alli allegados; que pois es Philosopho Aristotelico, bom será mandarte

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darte ao teu mestre, e forrar o trabalho de ~~es~~ crever. Para outros que lá não podem ir ~~nam~~ quero dar mais que huma rezam que só basta para confundir teu erro. Este mundo ~~nam~~ ha de ter fim, nem a geraçam se ha de acabar (se tu dizes que ha de acabar ouveras de trazer procuraçam dos outros Phariseus teus irmãos que ~~nam~~ querem que elle acabe.) Se as almas foram criadas juntamente, como esta criaçam se ~~nam~~ possa dar em infinito, e seia necessario que tenham numero, inda que se estenda a muitos milhares, he força que sendo as geraçoens infinitas, venham a faltar as almas, e assi da semente humana nasçam alguns corpos imperfeitos, e desfalmados. E se differes que estas almas se andam desenfadando de huns corpos em outros, como esté desenfado lhes ~~nam~~ aia de durar sempre, e no terceiro corpo se acaba, inda fica a mesma rezam, e he força que venhaõ a faltar, porque o infinito por major numero que lhe ajuntes sempre está pedindo mais.

Agora se tu falas ja como Christão Romano, e não achando fundamêto em teu erro, te passas a dizer que cria Deos novas criaçoens, e ~~tambem~~ cria ~~alminhas~~ negras que infunde no alarve, papagente, torpe, e fero (desagraciadas almas q; de tao alto estado desçeraõ a tãta miseria) e para provar este sonho me has de mandar a carta de Leão I, escrita a Turibio Bispo do

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Exame

de Asturias, e ao Concílio Bracharense, eu não sou Christam, e assi he necessário que fales comigo, como com filho de Abraham, Ischac, e Iahacob, nam bastardo, mas legitimo.

E se finalmente nem como Phariseo que professas falas, nem como Christam Romano que nam professas, e por nam achar nestes caminhos abrigo, vens a remeter tudo ao poder, e saber divino : acaba ia falso mau desencaminhado, deixa atalhos difficultosos, pedregosos, e desviados, e endireita pella estrada fácil, limpa, e segura, e diz sem medo do errado mundo em que adoras. aquillo q a lei, e a rezaõ te ensina, e manda dizer: *E bendize a elles Deos, e disse a elles Deos, geraí, multiplicai*. Não faças as obras de Deos partidas, e imperfeitas; e se te parece muito que de huma materia tal, como he a semente humana, faia huma obra tam perfeita, e esmerada, e dizes que os melhores philosophos (coitado de ti triste philosopho) trouxeram a contemplaçam de tal obra em admiraçoens, faze tu tambem o mesmo, e por esses degraos vem a conhecer alguma cousa do grãde poder, e saber do obrador que taes obras pode, e sabe obrar, e nam limites esse mesmo poder, dizendo que nam podia Deos tirar da semente humana criatura racional, e avia mister que a rezam viesse defora por alcatruzes; que o obrador que obron tanta di veracidade de animaes dando a cada qual diferente instincto

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cinco natural, e alguns aventalou tanto que
ouve muitos que disseram, e quizeram defen-
der que tinham uso de rezam, e todos lhe vem
a conceder que imitam a rezam humana, e al-
gumas vezes a prudência, posto que nam seia
por discurso, por obra dos sentidos interio-
res; e toda esta diversidade de animaes tira da
virtude da semente que nelles pos: nam lhe se-
rá difficuloso, e muito menos lhe será impos-
sivel tirar da semente humana outra criatura
semelhante humana; e assi como pode, e quiz
obrar, e compor esse corpo com aventaiada
arte, e composçam, tambem pode, e quiz dar-
lhe grao mais adiante, e fazer que fosse parti-
cipante de rezam, e discurso, e conforme a isto
lhe fabricou o coração, e os sentidos.

Antes que vamos por diante, e peçote que
nam te enfades, nam posso deixar de te fazer
huma pergunta. Nam ha poucas horas que tu
me disteste no teu cap. 4. que o entendimento
humano nam tinha limite em entender, e po-
dia entender em tudo o que Deos entendia, o
criado, e incriado, e inda na essência do mes-
mo Deos? pois como agora dizes que não po-
des entender as obras de Deos, e como se gera
a criatura no ventre de sua mai? podias enten-
der o incriado, e podes entender a essência do
mesmo Deos, e nam podes entender as obras
que elle obra cada dia, e as que obra contigo
mesmo? Em fim eu me resolvo que tu nam es-
tas

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Exame

tas pello que dizes, es hum torpe falso, vaso de cegueira, e de mentiras, e tornemos a nosso sentido.

cap.
58.13.

Para afear minhas cousas disseste que eu era espertador da torpe feita de Epicuro, sepultada já de muitos dias, e por que nam vas sem hum oraçam, ficate Deos a lingua; e a mão com que taes palavras escreveste, e agora tenho hum pouco que fazer contigo, e te quero mostrar que tu, e os teus seguis as pizadas de Epicuro, pondes o bem no deleite, e tambem negais a justiça divina. Nam sois vos aquelles que dizeis que o dia do Sabbado he dia de deleite, e que he encomendaça, e obra boa ajuntardesvos com vo ssas mulheres, encher a barriga, e quantas mais vezes o fizerdes mais compris a encomendaça, allegando para prova desta verdade hum verso de Jesahahu, torpe, e avesadamente entendido por vos? Por certo estes mesmos sois, e nam somente pondes o bem no deleite, mas usais delle desordenadamente, e da maneira que só Epicuro podera usar, pois abusais do dia do Sabbado, dia sanctificado a Deos, em que mais era devido apartar dos ajuntamentos da carne para com corpo mais limpo poder cantar hum psalmo a Deos, e contemplar a grandeza de suas obras, do que contaminar o mesmo corpo com hum acto de que se contrahê immundiça, e se faz mais torpe que claro o enten-

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tendimento, carregando sobre isto de comer, e beber demasiado, e buscando modos que vos sirvam de appetite para vossas desordenadas brutalidades. E assi estais tornados Epicuros no deleite, e Epicuros desordenados, pondo por encomendaça fazer no dia do Sabbatho cousas que mais se deviam desviar que procurar.

A justiça divina negais, porque he conclusam recebida entre vos, e dizeis: *tudo Israel ha nelle parte no mundo vindouro*; E se nam he algum mau como eu, herege, escomungado, apartado de vos, todos os mais, ou de huma fornada, ou de outra fornada, com huma oração, ou outro remedio, no mundo vindouro vos aveis de achar, porque sois filhos de Israel, e têdes privilegio, sobre que dormis cõfiados, fazendo a justiça divina justiça de respeito, e que para vos he huma, para os outros ha de ser outra, nam sendo vos nas obras melhores, cortando, e desfazendo os nervos da lei, e fazendo confiança em cousas vans. Mas o Sñor vos reponde. *E ao mau disse Deos: que ati para con-* Psal.
tar meus estatutos, e tomes o meu concerto sobre tua 50.
boca? e tu aborreceste o ensino, e lançaste minhas
palavras por detras de ti. Serias o ladraõ, e com-
praxias com elle, e com os adulteros tua porção. Tua
boca abrias para o mal, e tua lingua compunha en-
gano. Assentavaste contra teu irmaõ palavras, con-
tra o filho de tua mai davas deshonra. Estas fizeste,
K e calei:

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*o caler: cuidaste que sendo seria como tu: arguirte-
bes, e ordenarei em teus olhos.* Todas estas se acção
em vos, e com tomar a lei na boca, e falar nel-
la, ja cuidais fiquais escapados, fazendo a justi-
ça divina a vosso modo. Mas ella vos diz que
nem he assi como vos a fazeis, que vos ha de
julgar, e porvos tudo diante. Assi vos julga,
e assi vos paga, e com tudo nada curais destes
juizos, e esperais pello do inferno; que se vos
dizeis que o ha, para vos está guardado; por
que quem nesta vida mereçe tantos males, he
força que tambem os mereça na outra, porque
nesta promete Deos aos bons bens, e aos maos
males; e os males avidos nesta sam mensagei-
ros dos que dizeis futuros. Assi não vos pro-
metais falsamente bens futuros, e largai as có-
diçoens de Epiouro, que puntra o bem no de-
leite, e negava a providencia divina, a qual se
bem vos não negais, fazeis injuria a sua justiça,
pois a vindes a fazer justiça de respeitos.

*Cap. 11. Responde ao 11. contrario, e ás allegações
que traz, para provar bens em outra vida.*

DEixando outros erros, a que ja ficou res-
pondido, diz o philosopho sophistico
que damos duas contraditorias ambas verda-
deiras, por que disemos que primeiro morria o
espírito vital no homē que morresse o mesmo
homem, e assi concediamos tempo em que o
ho-

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homem estava morto, e não estava morto, e sobre isto triumphava no cabo, e diz, veia cada hū como a falsa opinião por si mesmo se destrue. E melhor direi eu agora: veja cada hum a falsidade de tam torpe lingua, e julge por aqui a tortura, e vaidade de suas rezoens, e fundamentos. Posto que disemos que o espirito vital morria primeiro, nem por isto concedemos tempo em meio para o homem aver de morrer, mas quizemos mostrar, como segue, que se extingue, o espirito, e por se extinguir morria o homẽ, e não morria o homẽ, e ficava o espirito. Assim que immediatamente morre o homẽ, tanto que lhe faltou o espirito vital, e a mesma falta he a mesma morte, como diz o verso: *sair a seu espirito, tornará a sua terra*. Mas ninguém estranhe este estilo falso, e aviado deste espirito enxabido, e amofinado, que este he o seu costume, e natureza, e assim trabalharemos por forrar o trabalho com nam sair, nem responder a todos seus desvarios, e tentações.

Para provar bens, e mundo vindouro traz elle taes allegações: *Se não creia ver em a bõda- Ps. 17. de do Senhor em a terra das vidas*. E Abigail disse *Sem. 1. a David: E será a alma de meu snor atada em mo- 25. lho de vidas cõ o Snor Deos ten*. E Jehasiabu: *cap. 64 não vio Deos salvo a ti, que assi faça aos que esperão nelle*. Como dizer: o bem que o não vio se não Deos, Deos o fará saber ao homem que esperar nelle. E Deuter. cap. 22. *por que seja*

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bem

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Num. *bem a ti, e farás alongar dias.* Pot boca do Sñor temos : *por que seia bem a ti* : he neste mundo: *e farás alongar dias*: he no mundo vindouro. e pello contrario ameaça os maos : *talhar será talhada a alma effa.* por boca do Sñor temos, *talhar* , he neste mundo : *será talhada* , he no mundo vindouro. e assi fica provado o mundo vindouro.

A estas allegações furiosas responderémos com a brevidade que possa ser. O verso de David fala do bem da vida presente; e, como do psalmo se mostra, em que se queixa da grande perseguição dos inimigos, e ser deixado, e desemparrado até de seus chegados, por fim vem a consolar-se com a confiança que dizia tinha posta em Deos; e assi tinha certa esperança de aver de ser escapado, e gozar do bem que Deos lhe avia de fazer conservando vivo entre os vivos. *Psalm.* *Quem o homem que de seia*
34. *vidas, ama dias para ver bem. guarda tua lingua de mal &c.* Estas sam as vidas, e este he o bem, vida, e bens nesta vida.

Abigail dise muito bem a David que fazendo-lhe o direito, e bom em os olhos do Sñor, sua alma seria guardada por elle de poder de Saul, e de todos seus inimigos, como se fosse hum ramalhete que o Sñor tivesse nas maos, e pello contrario as almas de seus inimigos desprezaria, e atiraria com ellas como se atira com hum pedra que se mete na funda, e assi

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as consumiria.

O verso de Jesahiahu diz, que Deos he hũ, he fiel, e he poderoso, e ninguem vio, nem conheço outro Deos salvo a este só Deos que alli possa premiar, salvar, e escapar ao que confiar, e esperar nelle.

O verso de Deuteronomio quer dizer: para que Deos te de bem, e te deixe chegar ao cabo da idade, e velhiçe, cuio contrario he o verso dos Numeros: *talhar será talhada a alma essa*: que he quando Deos corta os fios da vida ante tempo, como dizia Chizchi jahu convallescido de sua infirmitade, e não huma só vez ^{Iesah.} 38. diz a lei: *para que alonges teus dias sobre a terra, que o Sñor Deos teu dante a ti por berança.* Sobre a terra diz, e nam sobre os çeos, e nella se alongam, e abreviam os dias da vida humana (nam entendemos que alongar dias sem ver bem, se chame alongar dias de vida, mas antes alongar dias de morte) conforme he sua capacidade. O falso mente em dizer que da boca do Sñor temos a interpretaçam que elle escreve; por que antes ella he da boca do perverso commentador, que da boca do Sñor não podem sair, nem saem semelhantes ficçoens, e desvarios. Conforme aos quais, quando a lei diz: *apedreiar será apedreado o boi*: avia mister que dissessemos tambem: *apedreiar*, he no mundo este: *Será apedreado*; he no muudo vindouro; e alli nunca acabariamos de andar as pe-

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dradas com este boi. A repetição da palavra, he usada na lingua Hebraica, e denota effeito, e necessidade daquella cousa; e nos nam podemos vernos livres destes perturbados sonhadores, e de ter que fazer em responder a seus desatinos. Nem he menor dizer, que não era necessario propor Deos ao homem os castigos do outro mundo; por que nam só era necessario, mas tão impossivel deixar de o fazer, quanto he impossivel, caber em Deos injustiça; por que injustiça fora condemnar ao homem a castigos nam conhecidos em vida nam conhecida, sem primeiro lhe fazer saber a vida, e os castigos.

Cap. 12. Responde a varios ditos do contrario.

R Esponderemos brevemente a algumas impertinencias d'gras de rífo deste impertinente philosopho, passando por outras muitas por não fazer grãde volume sobre cousas taes. Diz elle no cap. 12. que se o homem tivera remedio para restaurar tam bom humido radical, e tão boa substancia como perde cada momento, estivera sempre em hum ser, mas por que isto nam ha por isto morre. Entam ajunta: mas isto que tem que fazer com a alma, que por natureza he immortal? Quem poderá atar cousas tam contrarias? Este diz que o homem morre, por que selhe gasta, e consume a sub-

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substância. A substância com que o homem vive he a mesma alma, que vivifica o homem, e morre o homem por que esta selhe gasta, e consume, e toda via ella he immortal. Diz mais: morrer nam he outra cousa que apartar-se a alma do corpo, e tornar cada hum a seu lugar. Parece que a alma, e o corpo eraõ dous amigos que se encontraram, e despois de andarem hum pouco a passear de companhia, viram que eram horas de se recolherem cada hum para sua casa, e assi se deram as maõs, e se despediram, apartandose hum do outro. Bom apartamento está este, e bom tornar para seu lugar, apartamento com que o corpo se torna no que vemos, e os amigos nam se tornam mais a encontrar. Mais diz que lhe mostre eu que a alma foi pó para que se aja de tornar em pó. E nam ve que nem as almas dos animaes sam pó, e toda via elles se tornam em pó por se extinguir a alma que os anima, a qual alma lhes deu Deos do ser, e substância dos elementos, assi como deu ao homem.

Tambem pergunta porque causa Abraham se dispunha a querer sacrificar seu filho se nam esperava bens em outra vida, e porque o filho se deixava matar. Abraham se dispunha a querer sacrificar seu filho, por que temia a Deos, e amava o mesmo filho; e sabia Abraham que de desobedeçer a Deos, e lutar cõtra elle nenhũ proveito lhe podia vir, por que que o po-

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deria Livrar das maons de Deos? O pai, e o filho ambos fiquavam debaixo da justiça divina, que podia tomar major vingança por muitas maneiras. Fez pois Abraham sua conta, como homem que a sabia bem fazer, e entregou-se nas maons de Deos, de que lhe resultava muito ganho para si, e para seu mesmo filho, ao qual filho o Sñor lhe tinha prometido bendizer, e com esta confiança lhe respondeo : *o Sñor verá*. Exemplo para ensino dos loucos, que desobedecendo a Deos cuidam que lhes pode vir bem, sem atentarem que nam podem fugir de suas maons. O filho se deixava matar por que era moço, e quando fora homem, e tivera entendimento, e poder de homem, vira se lhe estava bem desviar-se. E por melhor dizer, nam mandara entam Deos a Abraham fazer tal sacrificio, por que nam estava em sua mão poder fazelo. Assi o merecimento não foi de Ishac, mas foi de seu pai, e a seu pai premiou Deos directamente, posto que o premio redundasse no filho. O que assi nam fora se o acto de Ischac fora voluntario, e acto de homem livre; e merecia mais em se deixar matar do que o pai em o querer fazer; por que a regra do amor he começar de si, e cada hum se ama a si regularmente primeiro que a outrem. E quando seia que o merecimento do pai em se resolver a fazer tal obra, fosse igoal com o do filho, era conveniente que Deos salasse tam-

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tambem com elle para louvar, e galardoar sua vontade, e nam possesse tudo em seu pai.

Vai mais por diante no cap. 14. e vendo-se afrontado com tantas authoridades da escriptura, que clara, e expressamente publicão não lhe restar ao homem outra vida, nem outro bem, e nam tendo resposta que lhes tornar que seia resposta de homem; remette-se a hum desvario, e diz que ellas somente provam que o homem morre, e nam avia para que trazer tantas allegações para provar o que se ve. Assim de balde se cansará quem a esta cabra çega mostrar provas, e rezoens, pois ella salta por tudo, e sacudindo as orelhas se despede.

Postas de parte outras graciosas res postas, e explicações, diz elle que se Job quando disse: *naõ tornará o meu olho a ver bem*: entendeo *cap. 7.* pellos bens, e resurreiçam dos mortos, foi dito de homem posto em afriçam, e angustia, mas reprehendido dos amigos tornou sobre si, e disse no cap. 12. *Em cuja mão alma de todo o vivo, e espirito de toda a carne de varaõ.* E pois usou diferentes palavras nas almas dos brutos, e do homem, bem mostra a differença que conhece entre ellas, e publica que a alma do homem vivirá para sempre, dizendo no cap. 34. *Se possesse sobre elle seu coração, seu espirito, e seu assopro recolheria para si, morreria toda a carne juntamente, e o homem em pó se tornaria.* No qual lugar consola ao justo, e lhe diz que no outro

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muu.

veja**Exame**

mundo lhe pagara Deos, e que quando se consuma toda a criatura, soo o homem, inda que esteia debaixo do poo, tornará sobre elle, e vivirá.

Assi que vem o bom homem a dizer que Ijob falou como doudo, mas que logo se arrependeo. e para provar que se arrepedeo allega com hum verso de hum capitulo, em que o mesmo Ijob peleeia com os amigos, e lhes diz que aquillo que elles dizem sabem os jumentos, e as aves dos ceos, a terra, e os peixes do mar, por que quem não sabe que Deos he Snor, e criador, e em sua mão está a vida de todas as criaturas? Assi que não se arrepende Ijob do que tem dito, antes aperta mais com os amigos que o apertavaõ. E que proposito richa (rezaõ de mulo) negar com a africaõ os bens do ousro mundo, com os quais se ouvera antes de consolar, e esperar nelle a paga de tantas virtudes, quantas elle mesmo de si publica respondendo aos que o condenavaõ? As palavras de verso, alma, e espirito, que quer apartar, tanto servem aos animaes, como ao homẽ em todos os lugares da escriptura, sobre que he vergonha gastar tempo. Agora só querẽmos declarar a esta besta o verso do cap. 34. que mal corrompe.

No cap. 34. não fala Ijob, como este falso diz, mas fala hum dos amigos, e não consola a ninguem, mas diz que o homẽ não se pode por
em

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em iuizo com Deos (isto sabia Ijob muito bẽ)
 e que se Deos entrasse em iuizo com o mun-
 do, e o especulasse, *naõ* avia mais que esperar
 remate, e fim de toda a criatura. *Se possesse sobre*
elle seu coraçãõ : se Deos especulasse, e com a-
 tençãõ olhasse para o homem, e inquirisse suas
 obras para o iulgar conforme ellas, *sem espirito,*
e sem affpõ recolheria para si : faria Deos cessar
 delle o espirito, e alento vital, e cessando : *es-*
piraria toda a carne juntamente, e o homem em pò
 se tornaria. tudo se consumiria, e acabaria:
 naõ averia mundo, naõ averia homem. E que,
 por o coraçãõ, seia, olhar para a obra, e me-
 recimento della, he cousa por si clara, e se
 mostra por outros lugares. *Que cousa o homem*
para que faças caso delle, e para que ponhas a el-
le teu coraçãõ? e o visites em as manhãs, por mo-
mentos o especularas? até quando naõ te apartas
de mim? O homem, Senhor, he hum vaso de
 ignorância, e de maldade : naõ olhes com
 atençãõ as obras de tal criatura, nem ponhas
 a ellas teu coraçãõ, por que naõ pode sair bem
 da visita, entrando tu a tomarlhe residência.
 assi disse Abigail a David no tempo que elle
 vinha para castigar a ingrata, e torpe repõ-
 sta de seu marido. *Naõ ponha, rogo, meu senhor*
seu coraçãõ ao varãõ mao este, sobre Nabal, por que
conforme o seu nome assi elle; Nabal o seu nome,
 e parvoize com elle. Demaneira que, por o co-
 rãõ, he olhar para a obra, e a declaraçãõ
 do verso

Ijob. 7.
17.Sem. 1.
cap. 28

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do verso he a que fica dada, e se a todas as
sortas, e falsas destas falsas lingoas ouvessemos
de responder faltaria o papel, e faltaria a vida.

*Cap. 13. Responde a mais ditos, e mostra, que
o homem seia semelhança de Deus. .*

NO cap. 15. diz mais o philosopho, que
quem diz ao homem que coma, fala com
o homem vivo que tem alma, mas a ella nam
lhe toca nada d'isso, por que a alma nam come,
nem bebe. Conforme a esta doutrina, pois
que a alma desta figura está tam desapegada
do corpo, que nam tem parte nas cousas delle,
antes anda alli em pena; quem despenasse es-
ta alma deste corpo, nenhuma pena mereçia,
sirava hum fantasia do mundo, e a alma to-
nava a seu lugar. Nam lhe lembrou ao pobre
homem o que seus pais disseram no deserto
queixando-se do comer, que o Sñor lhes dava.
*Nam. 11. E agora nossa alma está seca, não vem nossos olhos
consa, salvo, man.* Nem lhe lembrou que a afri-
çam da alma, he afriçam do corpo todo, e não
está a alma sam quando o corpo está doente.
Diz mais sobre o verso: *espírito andante, e nam
tornará:* que se elle anda, alguma cousa he que
tem ser, doutra maneira nam podia andar.
Sñor Doutor Semuel na brenha, ou, ia que nos
cança tanto, Sñor dous tolos sem Semuel, nam
he isto o que aqui diz: diz aqui que os homens
sam

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sam como vento , que assoprou , e passou , e aquelle vento que passou nam torna outra vez a voltar. Da mesma maneira que falou a David a molher indusstriada de Ioab: *Por que morrendo morremos , e como agoas derramadas sobre a terra que não se apanhaõ.* *Sem. 2. cap. 14.* Assim que morremos, e nam tornamos a coalhernos, como nam se coalham agoas derramadas, e como nam torna o vento que passou; e a falsidade que tu nos lanças na declaraçam deste verso, que por si mesmo se declara; esta mora, e está em ti. Passo á graça, ou desgraça com que tu declaras o verso, e dizes, que o espirito nam tornará por virtude propria , mas se Deos o mandar tornar por que nam tornara ? que esta soltura, e delicadeza nam atho eu ja palavras com que poder louvarta.

Segue mais no cap. 16. e diz, que se Epicuro tivera lei, e recebera que Deos avia criado o homem á sua imagem, de nenhuma maneira duvidara da immortalidade da alma , por que nam era tam falto de juizo, e philosophia que negasse a força dos argumentos que concluem em forma.

De verdade que se a maldade, e torpeza não çegara este mau homem, elle nam podera escrever o que escreve com tam pouco peio, e vergonha. E quem podera achar Epicuro que abonara seu juizo, e philosophia se não achasse hum tal espirito como este. Por certo muita

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ta rezam teve quem a Epicuro chamou, gado dos philosophos, pella torpeza de seu juizo, e doutrina; e aquella que o tal juizo abona, outro tal gado com rezaõ se chamará, e deshonra da verdadeira philosophia. Epicuro pos o bem no deleite sensual. O verdadeiro juizo, e philosophia ensina antes a por o bẽ na paz, na saude, e nos bens que a ajudam a conservar, de que tudo o deleite he inimigo. Epicuro negou aver Deos, e dise que o mundo era hum corpo que nam teve principio, e assi como agora he, sempre fora. O verdadeiro juizo, e philosophia ensina, que pois nenhum vivente teve de si virtude para ser, nem alguma das cousas que se vem com os olhos tem a tal virtude de fazer criaturas, he força que aia outro poder major, de quem ellas em principio receberam o ser, e a mesma virtude dese poderem conservar por aquella mesma ordem com que foram criadas. E pois que nenhum vivente, nem o homem principal entre elles, e racional teve de si virtude para ser: muito menos a podia ter alguma outra cousa das que vemos insensiveis, e inanimadas, e assi para o ser de todas, he força de rezam natural, aver de recorrer a hum principio, e ser, que para ser nam teve neçessidade de ninguem, incomprehensivel a nos pella incapacidade de nosso ser finito, que nam pode comprehender o infinito. E sendo isto conclusam natural tira-

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da por demonstraçam clarissima, que só podes de negar o nefcio, e desafiado, como diz o Psalmo : *Dize o nefcio em seu coraçam, nam he Deus*; nam tem poio este deshonra dos philosophos em dizer, que nam era Epicuro tanto facto de juizo, e philosophia que negasse a força dos argumentos. E de verdade eu nam sei o que este tem metido na cabeça, por que eu lhe ouvi dizer presenças outras peioas (talo verdade diante de Deos) que sobre a criaçam do mundo avia muito que fazer; e dizendo lhe eu que tinha isto que fazer? Se o homem se fizera respondeo que o homem nam era mundo. E tornando a repetir lhe com nova rezam, remeteo se a dizer, quando. Assim que ao menos disse, que avia muito que fazer sobre, quando o mundo fora criado. Este triste le por Aristoteles, e como Aristoteles affirmou seguramente que o mundo fora de eterno, e negou a criaçam, fazendo a geraçam infinita, e que nam ouve primeiro homem; sendo manifesto que he necessario conceder hum primeiro, de quem se continuasse a geraçao; elle parece que se embaraça com seu mestre, e nam he tanto que se embaraçe, pois em fim tem tam bom juizo que achou em Epicuro juto.

E çerca o argumento, ja dissemos que o homem nam he imagem, e semelhança de Deos, como o filho he imagem, e semelhança de seu pai, e assi em balde se cansa quem com este motivo

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motivo de ser chamado, imagem, quer nelle por a immortalidade que se acha em Deos. E se valesse o argumento para a immortalidade, tambem veleria para a sabedoria, para o poder. E pois o homem sabe o que vemos, e pode inda menos do que sabe, mal representa elle aquella imagem de Deos que o argumento quer nelle por. He pois o homem limitado na vida, no saber, no poder, e vivendo representa imagem, e semelhança de Deos na terra em alguma cousa. Por isto podemos, quasi semelhante, que este accusa, para mostrar que nam se ha de tomar a palavra no sentido primeiro, e forte. Isto mesmo diz o psalmo quan-

Psal. 8. do diz: *E fizestes mingnar hum pouco de Deos: e com gloria, e honra o coroaste. fizestes dominar em as obras de tuas maons. sendo posses de baixo de seus pes.* Mostra em que seia o homem imagem de

Gen. 1. 26. Deos, que he em ser snor na terra sobre todas as obras de Deos, e nam ter nella criatura alguma sobre si, a quem reconheça ventaiem, e superioridade (tambem sobre as feras domina por arte) recebendo muitas dellas por sua maõ o susteto, e a comida. Outro si assem elha o homem a Deos, e representa suas vezes na administraçam da justiça, donde os juizes sam

Ps. 82. muitas vezes chamados, deoses: *Deos estante em companhia de deos, entre os deoses julgará.* E cada particular em sua casa, e no governo de sua familia assemelha tambem a Deos. Assim muito temos

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temos ja em que o homem se pareça a Deos, e imite a Deos, e por conseguinte se verifiquem as palavras da escriptura sem recorrer a outros sonhos. E aqui he de notar a declaração que este deu ás palavras do verso que diz gerar Adam á sua imagem, sua semelhança, dizendo que ellas se referem somente á virtude, e nam á composiçãõ; por que sendo que alli estão em sua propria força, e o filho he verdadeira imagem de seu pai, elle as entende só na virtude; e qua onde não pode aver mais que huma imitação, e assemelhar a Deos em alguma cousa, quer entendelas mui ao pé da letra, e que a alma do homem tenha de tudo o que Deos tem, sendo que nem no corpo, nem na alma he o homem semelhante a Deos; nem a escriptura diz isto, ou apartou a alma do corpo, e na alma pos essa semelhança, mas o homem todo que consta de corpo, e alma, ou por melhor, de corpo animado, disse que era semelhante a Deos, e em que o seia temos ja mostrado. Por fim diz: A cal he semelhante á neve, mas a cal não he neve; assi o homem he semelhante a Deos, mas o homem nam he Deos. E com estes desvarios vos responde, e vos cansa. Se o homem nam he mais imagem de Deos do que a cal he imagem da neve, cessam os desvarios. Por que se tu diseres: a cal he semelhante á neve: a neve se faz liquida com o sol: logo tambem a cal se fará liquida com o sol: farás os argumentos

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que costumes. O homem he semelhante a Deos: Deos he infinito: logo tambem o homem he infinito. Em fim acabaste de dizer que o semelhante avia de ter de tudo o que tem a cousa de que he semelhança, e por isto o homem era força que tivesse de tudo o que tinha Deos, entam como de acordado trazes exemplo da cal com a neve, que só na cor pode ter semelhança, sendo em tudo o mais de tam differente substância, e natureza.

Cap. 14. Que a alma do homem não tem nome proprio, que não seja common á do bruto.

NO cap. 17. poem o contrario cadeira de lingua Hebraica, e declara que a alma do homem se chama, *Neffamah*, e a do bruto, *Nephes*, e se bem a do homem he tambem algumas vezes chamada, *Nephes*, tem isto particular rezaõ, que a seu tempo elle dirá. Com estas maravilhas encubertas a seu parecer, e agora ensinadas por elle, fala, chama nomes, e se finge çentro da sabedoria. Porém lhe mostraremos que contra si revolueo elle esta agoa, que nos deixavamos quieta por nam mover tanto lodo.

A palavra, *Neffamah*, significa, alento, assopro, espirito, e serve a toda a cousa viva que tem respiraçam: *E morreo toda a carne &c.*

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*tudo o que alento de espirito de vida em seus mar- Genf.
rins de tudo o que em o seco morrerãõ. A pala- 7.21,
vra, Nephes, significa alma, corpo anima-
do, e he nome comum a alma do homem com
a dos brutos, e todas as vezes que se quer no-
tar, alma, se usa delle. Ruach, significa, ven-
to, espirito. E por que de todas estas pala-
vras usa a escriptura conforme ao que quer sig-
nificar, com que nota o alento, a alma, o
espirito com que o homem vive; inventaram
os fohadores que cada hum destes nomes
fazia no homem huma nova alma, e diferen-
te. Assim constava o homem de tres almas, e
tam esfarrapadas, e apartadas huma da outra,
que as fazem entrar, ao menos duas, em di-
ferentes corpos, e neste sentido constam his-
torias de muitas graça. Conforme a estes se-
gredos diz agora este que a alma do homem
tambem algumas vezes (sempre dirás melhor)
he chamada, Nephes, mas a rezam dirá a seu
tempo. Está com as maons na maça, e deixa
este segredo para despois, por que a rezam
que tem para dar, he das rezoens envergonha-
das, que se emmas caraõ, e andaõ de noite, e
se viessem á luz do dia appareceriaõ suas ver-
gonhas.*

Prosegue mais em seu ensino, de que tam
mal lhe vai, e diz: escuita, atenta, a prende.
Triste de ti, que he o que me queres en-
sinar? nam sabes que era eu de nove annos,

L 2º quando

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Exame

quando meu mestre ensinou , e envergonhou
comigo hum tam alto do corpo como tu es?
Hora dize que atento estou, e pois assi me mã-
das aparelhar , cousas grandes tens para me
dizer , apartadas , e escondidas de mim. Diz
assi.

Era tanta a differença entre o corpo corrup-
tivel do homem , e a *Nessamah*, ou alma im-
mortal , e divina , que parece excedia todo o
entendimento aver entre estes dous estremos
uniam , a qual por esse respeito negavam os
Platonicos, como fica dito , e assi foi neçessa-
rio que o texto no la mostrasse claramente di-
zendo , como diz , que inspirou Deos no ho-
mem *Nessamah* immortal, e por natureza in-
dependente do corpo , por cujo respeito pa-
reçe repugnava unir-se com elle , e exercitar
nelle obras diferentes de entender , e discurs-
sar, e para nos tirar essa duvida diz , e foi por
alma vivente: nam diz, foi alma vivente, ou foi,
Nephes hajab, que he a alma dos brutos se não,
foi por alma, ou em lugar de alma , como di-
zer : inda que a *Nessamah* he de tam sublime
grao que seu offiço proprio he entender , isto
nam lhe tirou fazer ella tambem no corpo hu-
mano o offiço que faz a *Nephes* nos brutos, de
vivificar, de sentir, e mover, e tudo o mais, con-
forme ao que dizia Jíob cap. 33. *I alento del*
Dio me abivigo; Onde vem a mesma palavra,
Nessamah. E com esta verdadeira explicação
cessam

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cessam todas as voltas em que anda confuso este cego &c.

De verdade má besta que nenhuma vergonha tens, e inda que muitas vezes to diga, muitas mais te he devido. fazes de mim louco, que com locuras me queres satisfazer, e para as ouvir me mandas aparelhar, e estas me mandas aprender? Outra vez digo que nenhuma vergonha tens. Gastei o tempo em escrever o que dizias, e agora gastalo hei em responder-te? Por certo muito melhor fora deixarte sem nenhuma resposta, e pouco mais farei a respeito do muito que podera trazer sobre ti. Já dissemos que, *Nessamah*, nam significa pto propriamente, alma, quanto mais alma immortal, e divina, mas alento, assopro, e assopro com que se acende lume: *assopro do Senhor como corrente* *Iesah.*
de enxofre que ardia nella: onde se acha a mesma 30.
palavra que na criação do homem. E se na criação do homem nam disera, *Nessemat chajim*, assopro de vidas, a palavra, *Nessemat*, por si só nam importava mais do que importa dizer, assopro, e todos os assopros nam são assopros de vida, como também todos os espiritos nam são espiritos de vida, mas aquelles em que ha vida, e virtude animal. E assi se mostra quam desavergonhada falsidade seia dizer este que, *Nessamah*, por si só, importa alma immortal, e divina. E que ella nam importe mais do que importa a palavra, *Ruach*, he cousa sabida, e

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Iob 27 se ve claro do verso : *por que em todo o tempo que meu alento em mim , e o espirito de Deos em meu naris.* Aonde troca as palavras pondo huma por outra, e diz que no naris tem *Ruach*, e não *Neffemas*, que Deos inspirou no naris do homem. assi que *Neffemas*, e *Ruach*, e *Ruach*, e *Neffemas* nam são diferentes em substancia, e dizer espirito, ou dizer assopro, alento, tudo he o mesmo. O que outro si se confirma de *Jechezchel* cap. 37. onde nam mandou Deos que entrasse nos mortos *Neffamah*, mas *Ruach*, e com *Ruach* ficaram vivos, e animados (figurativamente falamos como o lugarhe.) E quanto o que este diz dos Platonicos, muito bem diziam em dizer que a alma nam podia unir-se com o corpo sendo huma substancia separada, e independente d'elle, e os qua lhe querem latisfazer, e responder não podem.

Ultimamente se confunde este mao em dizer que a *Neffamah*, alma immortal, e divina faz no corpo humano o officio que faz a *Nephes* nos brutos; por que se o homem fosse animado de alma tal, era impossivel morrer, por que em quanto ha alma nam morre a criatura. e elle mesmo se encontra com o que tem dito, que da virtude seminal do homem recebe o gerado os graos de alma que tem os brutos: e assi a *Neffamah*, alma immortal não faz o officio que faz a *Nephes* pois ja o *Nephes* o fazia
antes

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antes de ella entrar , que he a alma que o gerado tinha recebido de pai. Nem duas podiam fazer o mesmo officio, huma, mortal, outra, immortal, cousas tao contrarias. E quando ambas o podessem fazer, e huma dellas enfraquecesse ,ahi ficava a outra que nam enfraquecia, e podia ter mam na casa , e no governo della. E eis aqui as patranhas que aviamos de escuitar , e aprender , com que estes faltos, e maos mais do que se pode dizer , enganam os homens mininos sobre que mandaõ, e dominaõ, e eis aqui em que nos detemos , e cansamos. Cansado vivas, e morras pois tanto sem causa causas.

Diz mais que por amor da lei , e premio futuro larga Israel proveitos, gostos, quietacam, vive triste, e miseravel, medroso, e desaterrado. Desventurado que se nam conhece, nem se ve, e inda cuida que em sua maõ pode estar possuir aquillo que diz, luitando contra Deos, e contra seu poder. Nem bastam os exemplos que tem aos olhos , e em que cada dia se pode olhar dentro de sua propria casa para entender que os pensamentos do homem sam nada , e o de Deos se ha de fazer. E se isto nam he assi , dirémos que a lei nos conta graças quando diz , que derramará o povo nas terras , e mandara empos elle esda vingadora do concerto quebrado . Mas que ella graças nam conte , mostra bem

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o acontecimento , e este mesmo he boa testemunha, pois nam bastou a elle, nem a seus passados, averse desviado do caminho, e conformarense com outra gente para alli alcançarem as honras , e bens que diz , e poder fugir a ira divina. Antes em qualquer estado, e lugar, he esta naçam conhecida no mundo, e quiz Deos que fosse alli , para mostrar ao mesmo mundo a verdade de sua lei, palavra, e unidade, vendo agora acontecer ao pé da letra cousas tanto de antes pronunciadas.

Conforme a este seu bom juizo , e entendendo que na mão do homem está gozar bem, diz o mau , que melhor nos fora ja levar boa vida , pois nam esperavamos nada da outra. Ó torpe, ó Epicuro verdadeiro ; e a que chamas tu levar boa vida? largar o temor de Deos , e entregar aos vícios? viver mal , e acabar mal? E se em tua mão está levar boa vida , por que não te limpas da lepra que trazes ás costas? por que nam te curas ja que es medico, e andas disforme, e sem figura? Em fim, mau, de ti não pode sair bom conselho , pois tu o nam tens para ti, e mal me pode a mim tirar do inferno quem traz o inferno ás costas, e de tal maneira que olhar para ti, he olhar para o mesmo inferno; por que se no inferno ha bichos, ha fedor, e comichaó, se ha pelle pegada no osso, e nervos vazios de carne, tudo isto se acha em ti, e vivendo passas aquillo que para os corpos des-

functos,

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functos, e insensiveis está guardado. Eu, pelo contrario, cuja vida em teus olhos parece cansada, por estar fora de tua companhia : por isso mesmo sou bem aventurado , por que não entro na companhia da tortura , e da maneira que hoje vivo , me conserve o Snor que me criou, e aquem eu me abrigo até o meu derradeiro dia. Olha se me quero mal, e me queres ainda tirar do inferno em que vivo. Das contas que dizes me ha Deos depois de tomar, não se te dé muito ; nesta vida me apiade elle, como faz, e pagarerna outra as culpas que tu me poens. E tu tenhas nesta o inferno, como tens, e depois receberás o premio dos bens que não ha emti. E por conclusão defenganate, que quando negros, e brancos, Cafres, e Chinos, todos sem distincção voassem para o ceo, soo tu has qua de ficar , e não quero eu que vas lá (hum dia hei de ser chaveiro do ceo por amor de ti.) Duas rezoens me movem para querer assi : huá, que com o pezo de tua maldade, tristeza, e carregamento , cairá sem duvida o ceo abaixo, e se fará outro chaos, como de antes outra, que faltando tu da terra, e sendo nella o Atlante que nos hombros sustentas o mesmo ceo (indicio grande, alem de que tu assi o dizes a cabeça que trazes escondida nos peitos, que com a continuacão do pezo fez inclinacão) he força que se siga o mesmo perigo , e por conseguinte , que respeitando a

L 5 estes

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estes grandes inconvenientes te deize eu por qua ficar. O romancista com que dizes te allogo, e mo trazes em vergonha, esse te confunde a ti, e te envergonha. He hum Poëta, nam trovador e sabia mais dormindo do que tu sabes esperto. Outras torpezas tuas passo, e deixo de cansado.

*Cap. 13. Responde a varias confus do sen
cap. 18. 19. 20.*

NO cap. 18. diz elle, que nam he argumẽto que se traga para provar immortalidade, o que Moseh dise a Deos: *riscame de teu livro que escreveste*: E da huma declaraçam a este lugar, tal como quem elle he, e aquelles de quem a tomou. O argumento he argumento quo se costuma trazer em muitas occasioens, se elle o não sabe, pergunte. Alguns entendendo que Moseh falava do livro, em que imaginam são escritos os que haõ de viver vida eterna, respondem que elle falou confiado, como o filho que roga a seu pai pello servo; mas o sentido verdadeiro fica dado em seu lugar.

Segue mais, e diz, que se Moseh nam tinha outro sentido, despropósito grande era pedir a Deos a morte, que elle podia tomar por suas maons; porém nam o fez por nam prejudicar ao merecimento dos bens futuros. Homem
que

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que isto diz, nam se pode contar por homem, nem inda por besta; por que nam ha besta que nam ame o seu ser, e nam fuga com toda sua força daquillo que lhe pode ser contrario. Assim este se deve contar entre os furiosos, que se lançam na agoa, e no fogo, sem juizo, nem acordo. E eis aqui o homem com quem eu tenho negocio; homem que diz, que he despropósito pedir a Deos a morte, onde se achão facas para degolar, traves, e cordas para enforçar, e outros remedios semelhantes, com que cada hum pode tomar a morte por suas maons. Em fim, furioso homem, ja quizerá ter concluido contigo: Moseh nam guardava a tua regra, nem pedia a Deos a morte para que lha desse; primeiro queria vida que quizesse morte, nem sua alma andava em pena no seu corpo. Tu te podes enforçar, e livrar tua alma da pena. em que anda: os bons, e os fésudos nam usam do teu furioso remedio.

Prosegue mais, e condena a explicação que demos ao verso: *preciosa em os olhos do Sñor a morte a seus bons.* Onde disemos: nam estima o Sñor tam pouco a vida de seus bons que lhe nam seja mui cara sua morte. E diz que o sentido deste verso he, que a morte dos bons he suave, e estimada do Sñor, por que a elle he suave recolhelos em sua gloria, e darlhes o premio de suas obras. A verdadeira explicação he

Psalm 116

c 70

Exame

he aquella que fica dada, e entao declaramos o verso, que alias nao importava muito a nosso proposito, soo por encontrar a falla que estes daõ, e mostrar a verdadeira. mas o furioso inda dura em sua furia costumada, e nao o tiraraõ della nem com muitos aqoutes. David naquella psalmo. nao dava a Deos graças por lhe aver tirado a vida, mas dava lhe graças pelo aver escapado da morte, e dizia que a morte dos bons he de muito preço, de muita valia, e estima em os olhos do dñor, nao suave, como este barbaro diz, nem tal suavidade cabe na palavra, *lachar*; e as cousas que saõ de muita valia, chamamos nos caras, difficoltosas de achar, como as contrarias chamamos vis. neste sentido disemos que estima o Sñor a vida de seus bons, e por conseguinte sua morte he cara, e de alto preço em seus olhos, vendea muito bem vendida, e nao a vende por que por nenhum preço a dá: assi nao deixa ao mau poderstar sobre elles. No mesmo sentido fala o verso sobre o Rei justo que acudiria aos

Rsa. 72 pobres, e que pouco podiaõ: *do engano, e sobre*
forço remirá sua alma, e precioso será seu sangue
em os olhos delle. e da mesma maneira dise Da-

Sem. 1. vid a Saul: *E eis assi como foi engradescida tua al-*
cap. 26 *ma em o dia este em meus olhos: assi seia engran-*
descida minha alma em os olhos do Senhor, e me li-
vre de toda a angustia. assi que a declaraçao do torpe he furiosa, como saõ todas suas cousas;
 e o mes-

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e o mesmo he a outra que dá ao verso do liob:
Se possesse a elle seu coração, seu espirito, e seu alento ^{liob 34.}
a elle apañharia: donde tira que apañha Deos
do homem alguma cousa, que depois de apa-
nhada tem ser, e a recolhe junto de si. O qual
lugar fica a tras declarado no cap. 12, e não
diz mais do que diz o verso: *recolherás seu espi-
rito, espiraraõ*: falando dos outros animaes,
cuio espirito Deos tambem recolhe, e não se
segue, que depois de recolhidos estes espiri-
tos tenhaõ ser, mas chama recolhimento á ex-
tinção, e espiração, pella qual çessa a vida, que
do espirito vital vinha ao vivente, o qual es-
pirito Deos nelle faz çessar.

Vai por diante o furioso no cap. 19. e quer
que seia verdade, que os mortos respondem a
quem lhes pergunta, nem admitte que possaõ
ser enganos, e illusoens da arte malfetora,
pois que a lei veda perguntarfelhe, como que
se de vedar a pergunta se siga verdadeira re-
posta sua. E quem faz taõ boas consequen-
ças, tambem dirá que os deoses das gentes
são verdadeiros deoses, e não soo são deoses
respeito daquelles, que por taes os adoraõ;
pois que a lei diz: *não ser eis deoses alheos diante
de mim*. Sobre outros de varios que traz a es-
te proposito não queremos cansar, e basta o
que temos mostrado para se ver, que os mor-
tos não sabem nada.

Mais

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Exame

Mais diz que Elifah se estendia sobre aquele minino que quèria resuscitar para assi lhe preparar, e esquentar os membros frios. Parece que Elifah queria purgar este minino, e primeiro o enxaropava para lhe preparar os humores. E tambem o esquentava, por que com a quentura lhe avia de tornar a alma, á maneira dos bichos, que com os trazer no çeo se geram, e vivem. O torpe medicina : coitado do doente que a tuas preparaçoens esperar de resuscitar.

*Não
creo des-
fôr com-
tas.*

Allega no cap. 20. para mostrar que os bons nam são premiados nesta vida, que Irmeiah profeta foi martirizado no Egypto, e outras a este tom. Nam será muito que fosse assi, e tudo podia sair dos descendentes daquelles, que contra o mesmo Deos, e seus fieis servos, e ministros sempre rebelaram, e contra os melhores tomaram pedras. Porém a mim nam me consta que fosse assi : antes me consta da profecia do mesmo profeta, averlhe Deos dado carta de seguro, e conforme a ella foi sempre escapado da morte, que muitas vezes lhe quizeram dar. Se despois Deos lhe quebrou o seguro, causa averia para iso, e lhe tinha dito que se nam fizesse o que lhe mandava fazer, o trilharia á vista do povo. Doutra maneira nam podia faltar sua palavra, que nunca Deos faltou com ella a Abraham, Ischac, e Jahacob, nem a nenhum bom. Tambem diz que Jo-
siah

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fiaba foi bom Rei , e toda via morreo da ferida que ouve na batalha. E ouvera de lembrar-se do que refere a mesma historia , que elle nam quizera ouvir ao Rei do Egypto , que de nome de Deos lhe disse , que nam avia nada com elle , nem era mandado contra elle. E ja lhe temos respondido que os caminhos de Deos , e seus juizos são justos , posto que o homem nam alcance o segredo , e profundo delles. Se isto nam basta , e nam quer obedecer á lei , nem á verdade , que publica , e promete nesta vida aos bons bens , e aos maos males , e cuida que Israel nam he merecedor do castigo que leva , e em fim lhe parece que o mundo vai mal governado , fazendo-se juiz das obras , e merecimentos de cada hum , que nam conhece , nam tem mais que negar outra vez a providencia divina , como ja o tem feito muitas , imitando nisto o bom juizo de cegos , e desalfados homens , e mandar pór a lei de parte. Muitas cousas permite Deos , de que elle só sabe a causa. Se a mim me quer perguntar a rezam das obras de Deos , que rezam lhe poderei eu dar daquillo que amim he encuberto , pois Deos se não aconselhou comigo? Mãsa he a pomba , e a ovelha , e vê algumas vezes a cair na mam da ave de unha , e do lobo. Todas sam criaturas de Deos , de que elle he Sñor , e como diz o verso , *tudo Deos criou por amor de si. Prov.* Quiz Deos mostrar sua grandeza , sabedoria , ^{16.44} poder,

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Exame

poder, nesta variedade de criaturas, quem lhe perguntará pella justiça de suas obras? Lá vem huma visita, e montaria, em que o lobo muitas vezes paga o sangue que bebo da ovelha, e o andar elle embrenhado argue o temor de sua consciência que lhe não dá sair a publico; como ao mao lhe não dá seu peccado confiança, e sua consciência o accusa, e atormenta, parte ia de seu castigo. E não diga este como diz, que assi como não podemos alcançar o caminho de Deos no governo das cousas, assi não poderemos alcançar o que faz com o homem morto, ou tem para fazer, por que dirá seus costumados despropósitos. Podemos entender aquillo que Deos nos manifestou, e fez saber, e a mesma rezam alcança, e apalpa. mas o que he reservado a Deos, como he conhecer os coraçocns, e dar a cada hum conforme ao merecimento de suas obras, iso pode fazer Deos que só o sabe, e para si guardou o iuizo. Ultimamente quero perguntar a este a quem tem por mais bemaventurado em sua sorte? a hum cavalo que na frol de sua idade foi mimoso, e servido na casa do príncepe; e na velhiçe dando em huma manqueira, foi vendido a hum carretaõ, que com a carga que lhe punha ás costas, e rigor do pao com que lhe dava, fazendoo andar sem poder, lhe quebrava os dentes no chaõ: ou a hum jumento que em sua saude, e por seus passos contados servio

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servio sempre a seu amo carvoeiro, que com elle se avia brandamente. Por certo, sem que elle responda, o jumento foi mais bemaventurado, e assi sam muitos no mundo; com que lhe respondemos a muitos ditos dos seus. Não he bemaventurado o que he mais rico, mas o que viveo, e acabou bem.

Nega mais, visitar Deos o peccado do pai no filho, e para prova allega que manda a lei que o filho nam morra pello pai. A negaçam he falsa, e a prova despropositada. Deos sabe como ha de visitar o peccado do pai no filho sem fazer injustiça, mas qua no foro judicial humano, nunca podia ser justiça, matar o filho judicialmente pello crime que seu pai cometeo, e assi os termos sam diferentes. Deos não mandou a Kain que matasse a Hevel, mas somente nam lhe atou as maons, nê desviou por favor particular a morte. Mostre este agora que fez Deos injustiça em nam acudir, e que nam podia ter causas para deixar assi fazer. A David ameaçou por castigo de seu peccado que levantaria em sua casa hum mao: diga que isto nam he visitar o peccado do pai no filho; e em fim desdiga o que o mesmo Deos diz. Nem queremos gastar mais tempo em responder a tantos ditos no ar de quem nam sabe por onde vai, e em tudo foge da verdade, e direito caminho.

M

Cap.

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*Exame**Cap. 16. Mostra varios erros de contrario
no cap. 21. 22. e 23.*

Psa. 16 **D**Eclara elle no cap. 21. o verso do psalmo : *faz-me saber caminho de vidas* : e diz que falava David da jornada que faria despois de morto , e que Deos lhe mostraria o caminho , por onde avia de subir aos ceos , e vir á companhia dos anjos do Sñor. E de verdade diz muito bem : por que sendo aquelle caminho tam pouco ulado, e nam avendo nelle estrada de carro conhecida para seguir, o pobre do morto se acharia embaraçado , e seria necessario tomalo pella mão, e a mostrar-lhe por onde avia de andar, se assi bastasse, e elle nam disesse que era a costa alta , e nam se atrevia a tanto subir.

cap. 36. Segue no cap. 22. e quer que os mortos de que fala Jecbezchel , na realidade viveram, e em tanto, que diz Robi Joseph Galileo , que aquelles mortos subiram a terra de Israel, e casaram, e tiveram filhos, e filhas. Que isto diga este Galileo, ha pouco que estranhar, e em o contar esta besta ha inda menos, nem podia ser outra cousa pois que o Galileo o diz. Argumenta elle que se assi nam fora , e aquelles mortos verdadeiramente nam viveram , seria falso o exemplado pois o era o exemplo. E não ve o torpe, que aquillo foi huma visam, e que em

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em visam vió o Profeta toda aquella figura, e nam com os olhos que tinha na testa ; porque com esses nam vió campo cheo de ossos, e menos os vió juntarse huns com os outros.

Declara outro si o verso de Jesahiah : *Mortos não vivirão : defunctos não se levantarão* : por *cap. 26.* todas as gentes, e povos da terra, e diz que estes despois que morrem acabam para sempre, e debaixo da terra se fiquaram, sem delles aver mais memoria , mas a outra vida, e resurreiçam só fica para Israel, e que no verso ha pouco que declarar. E de verdade que quando outra prova nam ouvera contra as falsidades, e sonhos destes malinos çegos , que seus mesmos ditos , elles só bastavam para sua confusam. No principio quiz este provar a immortalidade da alma , por parte do entendimento, e por parte da vontade, como elle diz. Toda a alma, pois, em que se achar este entendimento, e vontade , he necessário que seja immortal. Em roda a alma racional se acha entendimento, e vontade : logo toda a alma racional he necessário que seja immortal. Em fim nam se dá na alma humana differença substancial: as almas de todos os povos, e naçoens por boca destes morrem, e acabam, o mesmo he necessário que confessem nas suas almas também. A declaraçam do verso he a que ficou dada ; e Deos nam fará fim com todas as gentes , como este çegamente diz , allegando o

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verso:

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irm. verso : *com todas as gentes farei consumação.* No 46.27. qual lugar diz Deos que não fará consumação com Israel, em tanto, que se se desse caso que ouvesse de fazer consumação com todas as gentes, com tudo a nam faria com elle. E he este modo de falar mui frequentado na escriptura. Affi que a declaração he furiosa, e cega.

Prosegue mais, e sobre o lugar de Job : *em cap.19 conheço meu remidor vivo, e derradeiro sobre o pó estará.* Responde que nam quer provar delle seu intento, sendo o principal que se costuma trazer na sala dianteira para a resurreição. Mas aqui torna a por cadeira de Hebraico, e diz que alli se fala em terceira pessoa, *estará*, e não em primeira, *estarei*, e que nos enganamos com a *Pagnino.* versam Latina. No que mente, porque as melhores Latinas poseram em terceira, como o lugar fala, e nam em primeira. E nos em terceira tinhamos posto, antes que em primeira, e inda nam estava tomado assento. Mas como na verdade do sentido tudo vinha a ser huma cousa, e tanto montava dizer, *estarei*, como, *estará minha carne*; por mostrar aos que punham em primeira, que nada iso os ajudava, e por que a lingoagem fiquava mais corrente para os menos entendidos, estavamos duvidosos sobre o querer deixar ficar em primeira. Assi este triste, e manco mestre Hebraico ouvera de desenganarse, e cuidar que nos não pode contar historias de *Nessamah*, e de *Nephes*, e que

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e que sabemos buscar, e achar o que nos he necessario achar.

Tambem diz, por que nos nam conformamos com alguma expoliçam Latina errada , e declaramos a palavra. derradeiro, pello derradeiro, e fim da infirmitade, e trabalho de Iiob, que da qui se mostrava que a ninguem perdoavamos, ou respeitavamos. dito , por certo, que não pode sair salvo de hum mao, inimigo de Deos como este, pois dá em culpa não respeitar ao mundo para deixar de dizer aquillo que a verdade diz. E sendo que a lei máda que no acto de julgar nam se recebam faças , este perverso accusa de em materia de lei, e verdade divina, nam se respeitar aos homens, e caminhar caminho direito. Nem se pode trazer exéplio com que mais expressaméte se debuxe e retrate a cega maldade destes corações danados, corações de biboras, e serpêtes, e como os pinta o Propheta, rebeldes, refractarios, espinhosos, escorpioes, que pór diante aos olhos do mesmo mundo com quẽ este se quer acreditar a perversidade de sua accusação. Diante de quẽ me accusas, mao? Accusasme por ventura diante do Christão, e accusasme de me não conformar cõ a sua declaração? pois o mesmo Christão te responde, que sendo eu Judeu, nam fou obrigado a conformarme com elle; e somente lhe cabe mostrar que eu declaro mal, se isto poder mostrar. Em fim que eu não tenho licença

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M 3

para

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para me apartar do Christam declarando bem (e he de notar que este mesmo lugar entendem muitos Christãos da maneira que eu o declaro.) E só tu es privilegiado para o poder fazer dizendo locuras ? finalmente dizes que o derradeiro, de que Jiob falava, he o mesmo Deos, que se chama, derradeiro, e que elle se levantaria sobre o pó, que he o homem. desvario que nada ata com o lugar, nem lhe vea a Jiob ao pensamento declarar que Deos se levantaria para julgar o mundo, e a linguagem vai seguida sempre no mesmo sentido, que sua pelle, e seu corpo trilhado, e dorido estaria inda sobre a terra; nam estaria Deos sobre o homem, que este falso sonhador quer aqui entender por pó, como que se debaixo da palavra, pó, se entenda, homem, e por, derradeiro, se entenda, Deos:

Vamos a mostrar seu ultimo delirio, em quanto diz, que a palavra, derradeiro, quando se nam junta com os pronomes, meu teu, seu (triste, e desventurado grammatico) he forçado que seia hum ultimo que não tem outro depois de si. E com isto vem armado para nos ensinar, e diz que alcançamos pouco das linguas, e da grammatica. Mostro aventureiro he este, e ouvera de deixar o officio a outros cavaleiros mais bem afortunados que elle, por que outra cousa não vemos nas suas aventuras que mover, e levantar aruidos, e ficar sempre

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sempre com a cabeça quebrada. Nam he necessario para ser , derradeiro, que seja ultimo despois do qual nam ha outro : Mas aquillo que segue empos o que foi primeiro , iso se chama, derradeiro, em ordem do que foi primeiro. Assi o dia de amanha , he derradeiro , em ordem do dia de hoje que foi primeiro. *Ajuntai-vos* (disse Jacob a seus filhos) *e farei saber a vos o que vos ha de acontecer em o derradeiro dos dias.* ^{Gens. 49.} Não quer dizer em hum dia ultimo de todos os dias, empos o qual nam averá outro dia , mas quer dizer , nos dias seguintes que viram empos estes dias, e assi sam derradeiros em ordem destes que precederão. *Não encubriremos de seus filhos a geração derradeira* ^{Pf. 78.} *E outra vez : Para que começa a geração derradeira , os filhos que nascerão: Levantar-se-ham, e contarão a seus filhos.* ^{4.16.} De modo que he derradeiro, nam só aquillo que nam tem ultimo empos si, mas aquillo que se segue ao que foi primeiro, se chama bem, derradeiro. Ageraçam que vier empos nos he derradeira em nossa ordem, que precedemos a ella, inda que empos ella se ligua, como segue, outra, e outra. Assi que o nosso aventureiro sempre fica finalado das bastalhas que comete.

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Cap. 17. Sobre o livro de Daniel, e confus a este proposito.

Respondendo elle no cap. 23. ao que dissemos sobre a verdade do livro que se intitula de Daniel, nam faz caso de que os Sadduceus o não recebaõ, e diz que forão huns arrenegados, hereges, que todos os dias são amaldiçoados na sua oração. Outra cousa nam vemos no mundo, que aquelles muitos, que mais ~~amam~~ elles são os que chamaõ errados aos menos que mais açertaõ. Assim faz este bando Pharisceu, cheo de fingimento, e falsidade, chamando arrenegados, e hereges aos que mais perto vam de açertar. Se os Sadduceus merecem estes nomes por arrenegarem das tradições falsas, e muitas mentiras, que no talmud estão escritas, muitos somos os arrenegados. Mas se antes com verdade se devê chamar arrenegados, e hereges, aquelles, que rejeitando a doutrina, e verdade da lei, instituiram, e commentaram novas leis, e falsidades: Os Phariscus sanctos, e apartados do vulgo, como este diz, em quem esta virtude se acha, sam os verdadeiros arrenegados, hereges amaldiçoados. E que elles o sejaõ, e por seu respeito veio o desterro ao povo, e todos os males, se mostra claro; por que elles foram os que tiveram sempre o governo na segunda casa, e por suas leis se julgava,

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gava, e governava o comum. E assi, á elles, e por elles veo a maldiçam da lei, e debaixo desta maldiçam estam hoie elles, e os menos, por respeito delles. Arrenegemos, logo, livrométe, de homens taó arrenegados, hereges, e malinos, que sendo a causa da maldiçam em que vivem, se estendem a maldizer aos que menos a mereçiam, e mais se apegaram com a lei. E nam entenda alguem que defendemos os Sadduceus, e todas suas confas, por que de todas ellas nam temos perfeita notiçia, e antes de a ter nam podemos ser juizes dellas. Mas pella comum notiçia que se tem, claro está que elles açertam em lançar de si os vaons commentos Phariseus, que a lei desfazem, e em reprovar as falsas escrituras inventadas para os ajudar, de que tinham perfeita, e çerta sabedoria, como aquelles que eram tanto de casa, e podiam dar fé daquillo que nella se fazia.

E tornando inda á maldade destes malditos amaldiçoantes, nam podera eu crer que tam grande era, tam encarniçada, e de tanta dura, se por experiencia o nam provara. Assi, lendo antigamente as historias de Josepho, nam çesfava de pasmar-me, quando lhe ouvia contar as matanças, e carniçaria, os bandos, odios, perturbaçam que aconteceram naquella triste Republica, nascido tudo desta maldade Pharisea. por que a quem nam provocaram as

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atrevidas, desavergonhadas, e malditas linguas de desfaçados, e maos homens, e a quem nam inquietaram suas obras, por mais sofrido, e paciente que seia, para que tudo se não converta em rios de sangue? Em fim tam duros sam, que nem o longo desterro, peregrinação pellos lares alheos, males infinitos acontecidos nelles, bastaram nunca, ou poderam bastar, para consigo mesmo se unirem, e acordarem, e deixarem de se fazer mal huns aos outros. Pareçeme que he herança, que herdaram daquelles antigos irmaons lobos, que esquecidos de toda a humanidade se deliberavam a contaminarse, e mancharse no sangue da piedosa, innocente, e mansa ovelha, que vinha a buscalos, desguerrada pellos montes, só por saber de sua faude. Falso Phariseu, falso accusador, falso malfim, se he pouco o sangue derramado, deseias que se derrame mais, e do meu tens inda sede, aprazate comigo, e vamos matar ao campo com quitaçoens dadas para que ninguem vinge nossa morte, mas nam andes como cachorro covarde, e baixo, ladrando pellas ruas entre a gente: entam me acharás mais prestes nas maons do que me provas na lingua.

Tornemonos ao nosso aventureiro, e diz elle, que os setenta interpretes alumiados por espirito divino (mentes, que ja nesse tempo nam avia espirito divino, e eram Phariseus como

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mo os mais) fizeram nos 24. livros, que elles hoje tem, e confessam, as mudanças, e apontamentos que acharam que convinha: e affirmam que seja necessaria mais prova se verã que estes sam. Ou os 24 livros, que dizeis professais, eraõ verdadeiros, e bem escritos, ou não. Se eram verdadeiros, e bem escritos, os setenta interpretes, que mudaram a escriptura verdadeira, e bem escripta, foram falsos, e maos escriptores. Se nam eram verdadeiros, e bem escritos, ja confessais tempo, em que tivestes, e recebestes livros nam verdadeiros, e mal escriptos, que tiveram necessidade de ser emendados, e reformados. E eis aqui o credito que merecem os livros que só por vos forem recebidos, se em sua approvaçam nam tiverem outro testemunho mais verdadeiro que o vosso. Fiquase pois seguindo necessariamente, que aquelles livros, ou parte delles, qua os Sadduceus antigos nunca receberam, sam livros somente Phariseus, aos quais se nam deve credito, nem recebimento.

Mais diz: que inconveniente se acha em ser a resurreiçam particular de alguns, como contem este livro chamado, de Daniel; e para que ha de resuscitar a turba multa das gentes, que nam fizeram bem, nem mal a Israel, e por ventura o nam conheceram, e nam bastará que resuscitem os tyrannos, perseguidores, inquisidores, que o assolaram, perseguem, e mataõ;

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os quais tomando corpo por algum espaço, sejam infamados, afrontados, e vituperados? E de verdade que todos os sonhos destes, e seus desvários, são dignos de riso, e de passar com elles o tempo. Todos os que quizerem ser prophetas, conforme esta sua regra o podem ser, e dizer que quem lhes fizer mal, ha de ser pellado em huma caldeira, e ferver nella muito de vagar. Parece que no mundo nam ha outros peccados, que sejam peccados, salvo os que se cometem contra Israel; e no de mais, as gentes, que o nam offenderem, tenham muitos peccados, e comão carne de outra gente, nam tem para que resuscitar. O gente fabulosa, cega, e miseravel, nam te queixes dos tyrannos do mundo, nem te queixes dos inquisidores. Queixate de ti mesmo, que queres passar, e quebrar o concerto que fizeste com Deos, e nam queres que elle mande contra ti tyrannos, e inquisidores. Pois sabe que quando faltassem esses, nam faltariam serpentes para te morder, assi como morderam a teus pais no deserto. Os tyrannos do mundo, e os inquisidores, Deos os julga nelle conforme mereçe, e sabe como os ha de julgar, e tu nenhuma cousa sabes. Esses de quem tu te queixas, de ti mesmo aprenderam, e com elles te paga Deos o ensino que sahio de ti. O de mais destes teus resuscitados, e encorporados por certo espaço de tempo, por que assi estava em rezaõ, como

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mo tu dizes, isto mesmo descobre tuas sem rezões, e tuas locuras. Tornate a Deos como has de tornar, e levantará de ti as serpentes, que te mordem, os tyrannos, e os inquietadores. E pois nam bastou o que te disse sobre este livro que chamas de Daniel (cada dia fazes livros, e lhes das os authores que tu queres, e poucos dias ha que em meus dias querias fazer hum milagre sobre hum minino propheta, que parece tala Deos agora com mininos) será necessario dizerte inda mais. E ja que queres, digo que nam tens vergonha de mentir mentiras tam torpes, e claras, pois escreves nelle, que Nebuchad nezar andou entre as bestas comendo erva, e conversando sete annos, fulto de rezaõ humana (pareçe que a Nelsamah se foi a passear, e depois tornou a apparecer) no cabo dos quais foi de novo restituído ao reino, e estado que de antes tinha. E ja que este coitado nam perdeu a figura humana andando entre as bestas, lhe poderas dar hum lugar na sua estrevaria entre os seus cavallos, e nam polo de dia, e de noite ao ar, apanhando com a boca a erva que avia de comer. Esta, e outras se acham naquelle livro cheo de teus commentos, e vaidades, e nunca cessas de contar huma historia, ordir, e teçer huma fabula, endereçada, e encaminhada para com ella firmar, e fortificar algum teu vam proposito, e pensamento. Nam he menos fabuloso o
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que escreves no livro que chamas , de Esther, que o Rei deu licença aos Judeus para andarem matando gente pellas cidades, e pellas ruas com outras a este tom. Deixa sonhos , impio, e mau commentador, e os que quizerem saber verdades, nam as perguntem a ti : outra fonte mais limpa buscem donde melhores agoas bebam.

De caminho queremos notar , que os Saduceus espalhados hoje por muitas partes do mundo , nunca conheceram que cousa era iniquificação, nem seus rigores, argumento certo de que nam foram , nem sam culpados nas culpas dos Phariseus, ás quaes corresponde serem castigados por homens, que as escrituras torcem, arrastam, e mudam.

Esqueçianos responder a huma grande accusação que faz o nosso accusador , e diz que he falso, commentição, o que disemos acerca a sua doutrina sobre o levantamento dos mortos no tempo que vier o Massiah , por que no tempo do Massiah nam se espera o dito levantamento, mas he cousa separada ; e por conclusam diz que ha de acontecer no fim dos dias do mundo. E assi nunca ha de acontecer, pois os dias do mundo nunca haõ de ter fim. Cuida este falso que as suas cousas estam mui escondidas , e nam sabe que andam escritas, e publicas pellas praças , quando da ja as nam foubemos. E para que melhor se veja quem he,

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he, elle mesmo no cap. 22. declarando o verso de Jesahiahu, *vivir am tenu mortas*, escreve, que no tempo da salvação de Israel resuscitará o Sñor os mortos, despois que remir o povo dos cativeiros. Ja logo o levantamento dos mortos he com a vinda do Massiah, e segue a ella, e nam he no fim dos dias do mundo, ou o mundo se ha de acabar com a vinda do Massiah. Em fim este se encontra a cada momento, e nam tem firmeza em cousa que diga. Nos deixamos de contar as suas historias: a largueza das vidas: o genero de morte que ham de tornar a morrer estes resuscitados, e estado do mundo despois da vinda do Massiah, porque nam queremos contar historias, que sam affaz muitas por mais que este neste passo nos diga que em cousas tam occultas nam se meteram os sabios, injuria grave feita agora a homens tam divinos, que com sua alta especulação penetraram o escondido, e essa era a sua gloria, que elle por esta vez lhes rouba, e nega.

Cap. 18. Sobre o que diz, cerca a transmigração das almas, e se he obrigação entregar a vida ao tormento por não idolatrar.

NO seu capitulo 24. diz o torpe sobre a transmigração das almas de huns corpos em outros que os seus ensinam, que esta era huma das cousas altas, e soberanas, que os sanctos

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sanctos sabios varoens (ja aqui lhes torna a restituir suas excellências, e lhes concede a indagação de cousas secretas, e occultas) escondiam entre outras, e queriam fossem somente tratadas entre certos, capazes de as receber, e entender. E nam basta serem estes taes, que delles sairão cousas tam desatinadas, barbaras, e gentilicas, mas inda se de la vergonhê a querer metelas entre as altas, e soberanas, ou dar-lhes este nome; sendo verdade, que toda a doutrina que se esconde, e tem vergonha de sair a luz, nam pode ser boa doutrina; como tam-bem o nam pode ser a outra temeraria, que diz dá modos, e caminhos para conhecer a essência divina, cousa totalmente apartada, e que tanto excede o entendimento humano, donde vem dizerem muitos desatinos, e estranhezas, que como taes nam ouzam apparecer, e fora melhor que nunca apparecessem. Neste capitulo he de notar o termo da lingoagem desta alma transmigrada, que tudo traz ás costas, e nam contente de ser ligame do çeo com a terra, e sustentalo nos hombros, diz que tambem queria sustentar esta parede esborrada das almas, que os nesçios romperam, e devasaram, por que nam acabasse de cair. E isto, por lhe tocar na alma ver trazer nas maons a ignorantes cousas tam divinas. Certo que eu nam vi besta tam atarracada, tam torpe, tam enxabi-da, tam pezada da cabeça, e com ser tal se contra por

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ta por sabio, e diz que dá conselhos como sabio. Fiquate alma transmigrada com as tuas transmigraçoens bestiaes, mas nam digas que digo eu que tua alma se ha de meter em huma vaca para se emendar, que tũdo torçes, e entendes como quem es. Na vaca ha de ser metida por penitência. A emenda he nos corpos humanos. Nem facas grande caso de que teus sabios digam que por este respeito se degole a vaca com piedade. O mal estive em meter a alma na vaca : que despois de metida ella, ordenar que a faca fosse aguda, era bom, e conveniente. Os mais segredos do degolar que encareçes, e trouxas (por certo grande segredo se encerra em cortar as guelas a hum boi) deixo todos para ti, que esta he a sabedoria que te convem. E sobre o que dizes, que as almas vem ao mundo a seu pezar, a seu pezar se tornam delle (neste pezar do mejo falas mais a proposito) e a seu pezar darão conta a Deos de si, te acho muita rezam, e por isto a tua alma, toda he alma de pezares: pezares por dentro, pezares por fora, e todo es o mesmo pezar.

Pois me falaste em hum conselho, que me davas (nam me lembra do teu conselho, nem eu fiz algum dia de ti conselheiro, ou a materia sobre que dizes aconselhaste, tinha neçesidade de conselho) te direi eu agora quam diferente era o que eu dava á tua companhia no tempo que ella quiz usar comigo suas exco-

N munhoens,

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munhoens, ou suas maldades. Entam lhe dise que se deixasse daquelle estilo, por que por taes mejos nam ganharia nada. que se o que eu dizia lhe era pezado, e contrario, o deixasse fi-quar, seguisse embora seu caminho, e a mim me deixasse no meu, e se nestas materias nam quizesse falar, nam impedisse a fala comum, e geral entre os homens. Este te digo eu que era bom conselho; mas a tua má caterva, e particularmente aquella que a ti he mais chegada, e com falso zelo enganava mininos, levada de odio, e de seus falsos respeitos, calcou por tudo, e pareceolhe que eram palavras. Nam sabia a tua má caterva que nam sei eu desdizer verdades, nem me criei com a mentira na boca. Nam visto dous panos, e ou hei de ter lei, e guardala, ou se a nam hei de guardar, nam a hei de ter.

Segue no cap. 25. e diz que a terra sancta perdoa os peccados do povo, e por isto procuravam os bons nella. seus enterros (amanham fará da terra reliquias, e a mandará beijar, e trazer ao peſcoſo:) para prova allega a parte do verso: *e perdoará a sua terra, sem povo:* *Dent.* 32.43. zendo ser cousa por elle mui clara. Mas se he claro o sol que o verso tal nam diz, nem podia dizer, e vem falando do Sñor, que por fim se apiadará da assolaçam da terra, e do povo, quem averá que com gente desta sorte quicira lidar, e nam escolha antes deixala para poder

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poder descansar, e viver?

No mesmo cap. quer sustentar que sam piedosos, e bons os officios, e rogativas feitas pello morto, e para isto traz huma legiam de despropositos, e parvoizes, em que não he bem gastar tempo. O morto he immundo diante de Deos, e o sacrificio, ou offerta feita por elle, abominavel. podera mostrar esta verdade manifesta, e notoria por muitos lugares da lei, e escriptura, mas como dito reheo, quero poupar meu trabalho com esta gente. Não mandou Abraham, Ischac, Jahacob, né algum bom, que depois de sua morte se offerecesse a Deos algum carneiro, ou se lhe fizesse alguma oraçam por suas almas. A primeira vez que lemos esta invenção, he na historia dos Machabeus, tempo, em que reinava a seita Pharisea, de cuja fonte manou esta superstição, que com muita rezam lançaraõ, e reprovaraõ muitos povos da Christandade, apartando se desta maneira de ritos humanos, e chegando se mais á verdade da escriptura, que taes fabulas nam sabe, nem conheceo, antes accusa aos que comiaõ dos sacrificios dos mortos, dormiaõ junto das sepulturas, cousas todas barbaras, e gentilicas: e a lei veda dar se do dizimo, ou cousa sanctificada a Deos ao que tocou em morto, quanto mais fiqua vedando sanctifarse de novo ao mesmo Deos cousa pello mesmo morto.

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Passa ao capitulo 26. e se cansa em mostrar que he devido humilhar-se o homem diante de Deos por seus peccados , sem aver para que gastar nisto tempo, cousa que sabem os mininos que lerem pella lei , e falando nos em termos mui desviados. Mas o que ajunta, que he obrigaçam entregar a vida ao tormento , e morte, antes que idolatrar , nam se pode provar por lei , por que nella nam se acha tal preceito. E o que allega , que ella manda amar a Deos com todo o coraçam , e alma , nam faz nada para o intento; antes , dahi se pode tirar prova para o contrario: por que, amar, he acto de homem vivo, e o morto nam pode amar: segue-se logo, que o homem he mandado amar a Deos vivendo. E se bem o idolatrar he acto contrario ao amor , deve-se considerar a differença que ha entre o acto livre , e acto forçado ; que se eu idolatrar por vontade livre , ja mostro que largei o amor : mas idolatrando por vontade forçada com tal genero de força, a saber, por tormento, e morte, ninguem dirá que largei o amor, que no coraçam tem posta sua raiz, posto que á face do mal ficou cuberta. Exemplo na mulher para com seu marido, que entregue na mão do inimigo , e ameaçada com a morte nam cometeo adulterio, e estando livre, adulterou.

E que Deos nam peça a vida ao homem, mostra a lei quando diz : *E agora Israel que pede o Sñor*

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o Sñor Deos teu de ti ; Pouco pede de ti o Sñor Deos teu : Nam te pede a vida : que te entregas ao fogo, e ao tormento; que andes em seus caminhos te pede. E a lei foi dada para que o homem vivesse guardandoa , e nam para que morresse. para que tu vivas , e tens filhos despois de ti.

Nam faz em contra o Psalmo 44. que allega, por que aquelles males foram trazidos sobre a povo por peccados, como da lei consta, e os que hoie morrem , nam morrem confessando a Deos, mas negando, nem em sua mão esta poderem livrar-se da morte; de que tudo se mostra o juizo de Deos que dizemos. E se toda via aquelles Justificados eram obrigados a confessar a Deos na morte, e por nam o fazerem merecem major castigo : desventuradas foram as almas que alli acabaram, com as quais nam pode a esperanza do bem futuro , nem o temor do mal, para as obrigar a soffrer mais humma piquena de dor.

Se perguntar se fará bem o homem que por nam idolatrar se entregar ao tormenro : responderemos que fará hum feito de coração anímoso; mas se Deos isto lhe nam pedia, nem o obrigava em taes termos , fiquarlheha por paga a memoria de seu feito entre os homens, pois Deos se lhe não obrigou a pagar o tal feito: como a mulher que escolher a morte , antes que o vil, e estranho dominio. Porém ve-

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Exame

mos que Abraham, e Ischac amaraõ mais a sua vida, que a sua honra; e a lei o ensina a fazer assi, quando pos primeiro o preceito de não matar que o de nam adulterar. Estando de fora, todos são valentes, e prometem: mas chegados á obra, o mais esforçado teme. Nam he tomar a espada na mão, e peleijar com o inimigo: he someter miseravelmente o peccoso, e corpo ao cruel ministro carniçeiro, castigo que Deos trouxe por peccados.

Desta maneira fiquamos respondendo a huma pergunta bem concertada deste homem, em que nos perguntava para que era ser Judeu, se á vista da morte ouvessemos de cometer acto de idolatria. por que lhe respondemos que não peccamos em nam dar a Deos aquillo que elle nos nam pedio. E com tudo sou eu bem certo que este que pergunta, nam digo eu á vista da morte, mas á sombra de quatro açoutes, rezaria logo tôda a ladainha que lhe fosse mandado rezar. De mim, pello contrario, não sei o que faria, que eu mesmo neste particular me não conheço.

Pois lhe respondemos já á sua pergunta, lhe queremos agora fazer outra; e perguntamos lhe por que nam guarda a lei de Deos, a cuja guarda elle o obriga, e guarda antes a falsa doutrina de fabulosos, e falsos homens, que nem tem já varas para o açoutar, nem pedras com que o apedreiar quando por esse respeito
o qui-

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o quizessem fazer? Porque ama antes andar fugido com elles , e falarlhes á vontade esperando sua paga, do que ama seguir o caminho que Deos lhe deu para seguir , e professando a guarda da lei , se defrauda , e vazia do premio que Deos por ella promete , apartando-se , e desviando-se para outra parte? Em fim perguntamos a todo o seu povo, por que rezaõ não torna a Deos , e se deixa perecer pelas terras alheas, e ja que tem lei, por que a não sabe ter com o fruto della? Não ha varas , não ha pedras, nam ha morte, e com tudo podem mais com elle, e com todos, outros falsos respeitos , de que se deixam levar, e vencer, do que podem as palavras, e vozes de Deos; e por que tam pouco com elles podem , por isto podem elles tam pouco com Deos.

*Cap. 19. Responde ao 28 do ad-
versario.*

Diz o çego falso , e mau , vaso de toda a malicia, e abominaçam , enganador de torpes, e ignorantes , que enganando , e fallando cuida ganhar fama, e ganhar paõ , fama entre nesçios, e paõ destes mesmos, diz , que quem se vai costumando em mentirozas, e falsas opinioens , as abraça como verdadeiras, sem repugnancia, nem alteraçam. E nam ve, nem quer ver seu infeliçe , e miseravel es-

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Exame

tado, e que elle he este mesmo vaso, que dentro de si tem recolhido toda a peçonha, mentira, e falsidade, de muitos çentos de annos a esta parte, e por estar tam habituado, e costumado a ella, tudo o que nam he comer peçonha, e engolfarse na mentira, seu estamago o lança, e abomina. Falso mau, eu nam me justifico com Deos, como tu dizes, nem iso querem dizer minhas palavras, que só vam endereçadas a mostrar, que nam deixa Deos, nem desempara ao homem, que se lhe entrega, e nelle fia. Mas a tua lingua torta, que nam sabe, nem conhece o caminho da verdade, quem a poderá tirar de torçer, e falsar, pois niso tem posto seu abrigo? Dizes que sou odiado, e aborrecido até de meus proprios irmaons. Seja tudo, e mais do que tu dizes, e vendessemme elles para Egypto, quem te parece que foi melhor, Joseph vendido, ou os falsos irmaons vendedores? Es tam torpe, baixo, e vil que até em vestidos falas. Sabe Deos que por amor da tua maldade, e dos teus, fiz eu alguns que não ouvera de fazer, por que conheço quais são aquelles que me servem, mas de nenhuma maneira pude fugir da tua má lingua. Se andara humilde, ajuntaras mais falsidades das que dizes, pintando meu estado miseravel. Se me visto dizes que trago a alegria nos vestidos. O lingua de bibora, a comicham que trazes no corpo te ponha Deos inda na lingua. Dizes
que

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que o elephante, o leão, e outras muitas alimarias passam muito melhor que o homem. Alimarias te espedaçem pois assi pagas a Deos ingrata besta; e nam pode ter boa vida, nem bom fim mulo tam malicioso, e esconçinhador. E quem ouvirá a huma besta desaforada dizer que melhor he o cavalo, por que se farta de cevada; é faze-lo na estrevaria de seu dono, que o dono por cuja mão come, que o enfrea, e cavalga nelle? Em fim tu indigno eras do ser de homem, e pois vives de maneira que os infinitos males que passas nesta vida nam se podiam mitigar, como dizes, se nam com esperanças de bens futuros (e logo se nesta vida o deixarem viver com aquillo que nella se pode alcançar, ha de responder que neste inferno quer viver para sempre) pede a Deos que te mude o ser, e te lance entre as bestas, fartarte-has de sangue, e se nam poderes alcançar a peçom, enforcate, despenarás tua empenada alma. Digo que te fartarás de sangue, por que essa he a comida das alimarias feras, cujo ser, e estado envejas: mel, e manteiga nam comerás, por que perderá o sabor na tua boca. Não gozarás de todo o bem que Deos só criou para o homem, e nam o communicou aos outras animaes. Nam receberáo teus olhos contentamento da formosura das criaturas, ceos, sol, luma, e estrelas, terra, e todo seu ornato. Não se deleitarám tuas orelhas com a suavidade da

N 5 musica

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Exame

música natural aos passarinhos, e **artificiosa** do **homã**. Não **conheçerás**, nem te **entrará** a **delicadeza** dos **cheiros**. Deixarás a **cama inimosa**, **limpa**, e **lavada**, **revolvertehas** no **esterco**, ou no **mato** entre os **espinhos**. Não **seras** **ñor** das **criaturas**, cujo **dominio** **desestimas**, e **nam** **me-reçes**, mas **serás** **servo**, e **escravo** dellas. Em **fim** **privarteha** **Deos** do **lume** **raçional** que te **deu** para o **conheçeres**, e **louvares** **considerando** as **graciosas** **merçes** que **contigo** **quize** **usar** **sem** de tua **parte** **aver** **causa**, nem **mereçimento**, e **fiquarás** no **numero** dos **çapos** **isento**, e **livre** de **tristezas** até que **alguem** te **ponha** o **pé**, **elprema**, e **deixe** na **terra** tua **peçonha**. **Rebela** **inimigo** **contra** **Deos**, a **uda** o **conselho** dos **malinos**, que a **força** de **sua** **lei** tem **desfeito**, e **annullado**; **unta**, e **engrossa** os **olhos** do **cego**, e **ignorante** **povo** com **confusões**, e **palhadas** **cheas** de **despropósitos**, e **locuras**, que **contra** **elles**, e **contra** **ti** **rebelas**, e **de** **vossas** **rebelioens** **vos** **aveis** de **colher** o **fruto** como **colheis**, e **eu** **com** **vos** **nam** **ver**, e **estar** **longe** de **vos** **vivirei**, e **me** **será** a **vida** **agradavel**, que **nam** **podia** **ser** **andando** na **vossa** **companhia**: e **aqui** **fazemos** **fim** em **responderte**.

Nam **tratamos** **sobre** a **encontrada** **sé**, que **este** **diz** **se** **deve** á **tradição** **repugnante** á **lei** **escrita**, e **provas** **com** que **quer** **justificar** **seus** **sonhos**, e **falsidades**, **por** **que**, como **ja** **difemos**, **nam** **queremos** **gastar** **tempo** **com** **gente** **obstina-da**,

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nada, que fecha as brelhas, e arrojadamente se lança ao que vai seguindo : a verdade calca , e trilha: a mentira recebe, e ama.

Outro si nam tratamos sobre a conta das suas lumas, muitas fabulas, torturas, e falsas allegações, e somente queremos por diante hum exemplo facil, e claro de entender a quaesquer entendimentos limitados, e posto elle, deitalos fabular, e fazer como quizerem. No anno 5382 foi luma nova aos 12 de março as cinco horas da manham: no mesmo dia se fez principio de mes, e se começou a contar para a festa dos asmos, e outras que desta conta depêdem. No anno seguinte 5383 foi luma nova a 30 de março ás onze horas da noite , e o mes se começou a cōtar do primeiro de abril. Neste anno 5384 foi luma nova a 19 de março ás quatro horas da manham , e o mes se começou a contar aos 21. Assim que em todos estes tres annos continuos se fizeram diferentes contas, hora contando o primeiro dia , hora o segundo, hora o terceiro. Chamem estes agora hum tregeitador que com a delicadeza da arte nos faça parecer que todas estas tres contas sam huma mesma, e nellas se nam acha variedade, nem alteraçam. Ou desavergonhen-se a affirmar, como fazem, que para tudo tinham licença, e que a lei deixou a seu alvedrio sinalar os meses, e os dias como bem se lhes antojasse.

Cap. 20.

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Cap. 20. Em que se mostra que a opiniaõ da immortalidade que poem bens , e males eternos, não he piadosa, mas impia.

DAda a resposta que nos pareceo bastante para confusam do mau , que contra a verdade se quiz oppor, mostraremos neste ultimo cap. os grandes inconvenientes, e absurdos que acompanham á opiniam da immortalidade. Alguns dizem que he piadoso cuidar que as almas são immortaes, e resta ao homem outra vida para viver, boa, ou má, conforme seu merecimento. Nos, pello contrario, dizemos que he impio, e o mostraremos pellos effeitos dahi nascidos.

Vendose os homens postos em hum estado de angustia, e desesperaçam, qual era porlhes diante castigo eterno pellos males que nesta vida cometessem, e desejando achar algum caminho, por onde lançassem de si carga tam peizada, foraõse ter com o mesmo Deos, e quizeram que elle mesmo fosse satisfação por suas culpas d'elles, dizendo que em suas maõs nam avia com que poder pagar, e nellas tam pouco estava deixar de peccar, por onde a lei era impossivel de se guardar. Se este pensamento he piadoso, ou tem alguma cousa de contrario deixo a cada hum para cuidar dentro de si.

Os

Das tradicoes.

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Os Phariseus, como ja dissemos, recorreraõ á transmigraçam das almas, inventarãõ diferentes generos de purgatorios, delatinos, que todos procedem daquelle fonte, a saber, para aliviar o tormento, e pena, que nas consciências move, e levanta só a imaginaçam de males eternos, por amor da qual chamou com rezam Luthero á religiam Pontificia, carnicieira, e algoz das consciências, que mostrava o mal, e nelle deixava os homens sem remedio: porque nam tinha elle por remedio neste caso, deixar ao alvedrio de cada hum sua salvaçam. Assi que tambem no pensamento dos Phariseus nam ha piadade; por que, que piedade pode aver em sonhar sonhos, e delirios apartados da verdade divina? e como nam se chamará antes impio, e mao, mixturar com sua limpa doutrina fabulas, e nugas minineiras?

Mostrase mais a impiedade, porque poem esta opiniam em Deos a crueldade, que nam quer por nos homens; por que diz que castiga Deos com males eternos a culpa de hum homem que o Rei, e Juiz da terra terá por muito castigar com castigo de hum dia. Por exemplo: Ouve hum matador, salteador, adultero, façinoroso em todos os crimes que se podem cometer, tem o juiz da terra por muito, castigar hum tal homem com castigo vagaroso, e entende que basta matalo com algum genero de

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Exame

de morte proporcionada ao caso que cometeo, mas tal que nam pareça cruel, e tyranna; por que assi como a natureza aborreçe o crime, tambem aborreçe a crueldade. Pois como se atreve a temeridade humana a por nota de cruel na quelle Deos , que tem por titulo ser longo de iras , e muito em misericordia : que diz que ja lhe peza de castigar o mundo perverso, e mau , como nos dias de Noach, com hum castigo temporal , e promete de não usar mais com elle daquella maneira? Como se poderá dizer sem offensa da infinita misericordia , e bondade que criasse Deos o homem, e que por fim de rezoens, seja por aqui, ou seja por alli , poucos dos nascidos sejam os que se salvassem, e salvem , e os mais delles sem numero se perçam, e, o que mais he, estejam estes perdidos, e danados no inferno que se pinta, soltando com a impaciencia da dor suas linguas contra o criador que os criou, e estes sejam os louvores que elle ouça de sua boca? Deixo o grande erro que envolve imaginar, ou conceber que o homem pode fazer obra boa, ou má, pella qual mereça premio, ou castigo infinito sendo elle huma criatura limitada, e finita , cujo poder assi para bem , como mal obrar se estende a bem pouco ; e a justiça nam premea, nem castiga alem do merecimento da obra; e assi por justiça não tem o homem com que obrigar a Deos a galardam eterno
por

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por suas obras , como tambem nam he devedor por ellas de castigo, e pena eterna. E se differemos que por justiça nam he Deos devedor ao homem de taes bens , mas que por graça lhos quiz dar , ja lançamos fora a neçessidade que a justiça traz consigo, e he neçessario que mostremos que a tal graça quiz Deos fazer. Mostralo nam podemos por rezam, por palavra divina era neçessario que o mostrassemos, e eis nam o podemos achar nella entre as muitas promessas que declara, e contem. Isto se entende quanto aos bens, os quais da Deos, e pode dar graciosamente, mas quanto aos males , se pomos que o homem nam pode fazer obra que mereça castigo infinito, e assi que de justiça nam pode ser castigado infinitamente, de graça não se dão males, porque isto encontra a mesma justiça.

Mais se mostra, porque dá esta opiniaõ motivo a se desfestimarem os bens, e males presentes, pellos quais quiz Deos ser amado , louvado, e temido das suas criaturas : por que pondo-se os olhos no infinito , todo o finito por grande que seja, fica á sua vista vil, e de nenhuma estima. Que caso fará da vida presente aquelle que diz tem outra para viver? Que muito he que se achem homens que com o falso supposto da enganosa religiam que professam , se disponham a querer matar príncipes, e sñors, pois cuidam que niso se salvam, e passando

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sendo hum breve tormento caminham para longa, e eterna gloria? Assim que dá esta falsa opinião motivo a desestimar a vida, e os bens della, e o mesmo ensina a desestimar os males presentes com a consideração dos futuros; e em lugar de concertar o mundo, nam faz mais que obrar nelle infinitas desordens, e desconcertos, tam longe de dar temor de Deos que antes o tira. Tira o temor de Deos, por que como atras disemos, os mais dos homens buscaram caminho para lançar de si o temor de males eternos. E eis lançam de si o temor dos eternos, os presentes desestimam com a esperança de bens futuros, e dizem que aos bons os dá tambem Deos, e lá se vai todo o temor. Pello contrario se o homem fizesse conta consigo, e entendesse que esta vida lhe deu Deos para viver, e que passala bem, e achar boa morte he a sua bemaventurança, e huma, e outra cousa, a saber, viver, e acabar bem, pende de suas obras que Deos olha, e galardoa conforme merecem; visto o muito que o homem se ama, e naturalmente deseja seu bem, impossivel era deixar de procuralo com toda sua força, aquietandose na vontade de Deos, e seu temor. E que nam sejam necessários maiores bens, nem maiores males para conservar o homem no temor de Deos que dizemos, se mostra claro; por que inda estante a consideração dos futuros, fazem regularmente os homens
mais

Das tradiçõs.

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mais por estes presentes que por elles. O que só os engana he não verem o castigo no mesmo instante que peccaram, que se isto viram, não ouvera homem que não andara tremendo diante de Deos da maneira que se treme diante do Rei, cujo castigo se sente nas ancas do peccado. Desengane-se pois o triste homem, e posto não ouça a voz de Deos que o manda enforçar, assi como ouve a do juiz da terra, entenda, e saiba que de cima vem sua sentença, e que os castigos, e mudanças do mundo de Deos se movem, e inda que tardem, chegaõ. De todo o mostrado se segue o que posemos, a saber, que não ha piadade em por bens, e males eternos para o homem, antes impiedade contraria á bondade, e justiça divina, e que os bens, e males presentes que Deos promete sam bastantes, e mais aparelhados para o conservar em seu temor: a elle se encorrem todas as naçoens, e a seu sancto nome digaõ louvor por toda a eternidade Amen.

F I M .

Por que no discurso falamos algumas vezes sobre o mundo aver de estar para sempre, e nam se acabar a geraçam, nos parece conveniente propor brevemente essa questão.

O Questão

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*Exame***Questão.**

*Perguntase se os ceos, e a terra acabarão, e fará
Deos consumação com as creaturas, ou
pello contrario tudo estará
sem fim.*

*Respondemos que tudo estará sem fim, e não su-
rá Deos com as creaturas consumação.*

PROVASE primeiro pella palavra divina, e concerto feito com Noach despois do diluvio, em que Deos promete assi aos homens como a todo resto de alma viva que nam fara mais juizo universal com elles assi como avia feito: e para não fazer dito juizo toma motivo da corrupçam, ou ma inclinação do coração humano, e diz: *Por que o pensamento do coração do homem mao des de sua mocidade: e não ajuntarei mais para matar todo vivente assi com fiz.* Do qual motivo se confirma mais a promessa, por que a causa que podia servir para mais provocar a justiça divina, e espartar sua ira para fazer consumação com creatura de coração tam mao, ella toma Deos para aver de apiadar sobre ella, e nam perder por seu respeito todo o resto dos viventes. Confirma-se mais, por que querendo Deos mostrar que aquella promessa seria eterna, e nam seria mudavel em tempo *ver. 22* algum, ajunta: *Ainda* (quer dizer, daqui a diante)

Das tradicoẽs.

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ante) *todos os dias da terra* (em quanto a terra durar) *sementeira, e çegada, e frio, e calma, e estio, e inverno, e dia, e noite não çessarão.* Em quanto ouver terra nam faltará homem que a cuitive, e todas as cousas sustentarám seu curso ordenado, e arequi seguido. pondo por encareçimento aquellas palavras : *todos os dias da terra;* e nam para se enrender que a terra teria dias limitados, e acabaria, coufa contra toda a rezam natural, e contra a mesma escriptura nos lugares que adiante se mostraráo. E eis que do allegado lê prova que Deos nam faria mais universal juizo da maneira que fez nos dias de Noach ; logo muito mais se fica provando que nam fará universal juizo arrematando, e consumando todas as creaturas de maneira que nam aja mais multiplicaçam dellas, e se extinguam todas as espécies.

2. Se prova pella lei no Deuteronomio cap. *Deut.*
11. onde, querendo mostrar que a promessa ^{11.21.}
que Deos fez aos pais, foi promessa infinita, nam achou outro melhor modo que dizendo:
para que se multipliquem vossos dias, e dias de vossos filhos sobre a terra que juron o Sñor a vossos pais para dar a elles como os dias dos çeos sobre a terra.

3. Se prova do psalmo : *Louvai o os çeos dos* ^{Psalmo}
çeos (os mais altos çeos) *e as agoas que sobre os çe-* ^{147.}
os. louvem o nome de Sñor: por que elle mandou, e foráo creados e fez estar a elles para sempre, e sempre:
estabelecidos, e não passará. Criou Deos os çeos

O 2 para

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para estarem sem fim, e pos estatuto, e foro, estatuto inviolavel, e immudavel, estatuto que nam passara. Irmejabu cap. 33. *assi disse o Snõr: Se não* (for, durar, permanecer) *o meu concerto como o dia, e com a noite, estatutos dos çeos e da terra não pus: tambem a semente de Iahacob etcet.* de maneira que o dia, e a noite, os çeos, e a terra pos o Snõr por estatutos perpetuos para durarem, e estarem sem fim, sem se interromper, nem mudar hum ponto a ordem que lhes deu para guardar.

O mesmo se prova de outros muitos lugares. psalmo 104. *fundou a terra sobre suas bases: não refualará para sempre, e sempre.* Psalmo 93. *Tambem se firmará o mundo, não refualará.* do que tudo se mostra que os çeos, a terra, o mundo, as creaturas, tudo estará sem fim, como tambem a rezam ensina, e nunca se acabará.

Nam obstat as authoridades com que alguns pretendem mostrar que o mundo terá fim, se forem entendidas com entendimento de homens, e nam com entendimento de mininos, que realmente mininiçe he abraçar aquillo que appareçe a face sem juizo, nem respeito ao sentido de quem fala. Allegam os versos do psalmo 102. que dizem que os çeos pereçeraõ, envelheçeraõ, e Deos os mudará como se muda hum vestido, e nam atentam a que proposito alli se trazem estas cousas, e a que fim arira aquelle que as diz, para assi formarem
con -

Das Tradições.

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conceito, e entenderem o que quer dizer, mas indilcretamente se arrojam, e arremessam as palavras nuas, e espidas. Hase, pois, de saber que aquelle psalmo se intitula, oração do affligido, e despois de nelle se debuxar, e retratar a angustia, e miseravel estado de hum afrinto, para obrigar a Deos a que se compadeça delle, argumenta da vaidade da vida humana, e eternidade da essência divina, e para mais mostrar, e confirmar esta eternidade, diz por impossivel, que os çeos teram fim, e se faram velhos, mas a Divindade eterna sempre sera a mesma, e seus annos nam teram remate, nem fim, e diz assi. *Affligio em o caminho minha fortaleza, e curton meus dias. Direi, Deos meu não me faça subir em o mejo de meus dias: por geração, e geração tens annos. De antes a terra fundaste, e obra de tuas mãos os çeos. Elles perecerão, e tu estarás, e todos elles como vestido envelhecerão: como vestidura os mudarás, e serão mudados. E tu o mesmo, e seus annos não se acabarão.* Meus dias Sñor, limitados, tu pello contrario infinito, e tam infinito, e eterno, que tu mesmo obraste isto que ao parecer de muitos nam teve principio, e como obrador, todas estas cousas poderas trocar, e mudar de seu estado (aliás nam o fará) porém tu es immudavel, sempre hum, sem alteração, nem mudança, e teus annos nam poderão ter fim. Assi que este he o natural, e verdadeiro sentido do lugar, e he estilo nam só húa vez

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Exame

Job 14 usado nas escrituras, ao qual he semelhante o que se le na de Job. *Andarám as agoas do mar, e o rio se fará seco, e secar se ha; E o homem jazco; e nam se levantará:* faltarám agoas no mar (fala por impossivel, poderám faltar, se bem nam se da caso, em que possa ser) porém o homem dormido na cova, nuqua ja mais se levantará.

Imm. *Esquecer se ha a molher do filho do seu peito, mas eu nam me esqueceréi de vos.* Impossivel he que se esqueça, e totalmente o lance de si, e lhe nege o peito, mas sobre este impossivel, mais impossivel he aver eu de esquecerme de vos.

**cap. vi-
timo** Allegam tambem de Jesahiabu: *Porque como os ceos novos, e terra nova, os quais en fazente estar*
ver. 22. *disanse de mim; disse o Sñor: assi estará vossa semente,*

te, e vosso nome querendo daqui inferir que Deos fará huns novos ceos, e húa nova terra. Entendimento semelhante ao da allegação passada; conforme ao qual quando a lei diz que os
Dent.
28. 21. ceos seriam ao povo de metal, e a terra seria de ferro, avia mister que mudasse Deos a substancia destes ceos, e desta terra, e os formasse de novo doutra maça. He, pois, o sentido, que Deos mudará a qualidade dos ceos de maneira que sejam saudaveis, e doces aos que viverem debaixo delles, e a terra fará fructifera, e delectosa, assi como pelloos peccados faria oço pezado, e malino, ço de bronse, e a terra, infructifera, triste, e escabrosa, terra de ferro.

psalm**107.****ver. 33**

*Assi diz no Psalmo: Pos os rios por deserto: e as
seccas*

Das tradiçõs.

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*saídas das agoas por lugar de secura. terra de frui-
so por fulgadura : pella malícia dos que moravam
nella. Pos o deserto por ajuntamento de agoas: terra
de secura por saídas de agoas. De maneira que
muda Deos as qualidades dos çeos, e da terra,
e a isto se chama novos çeos, e nova terra, pel-
los diferentes effeitos; porém o çeo, e a terra
sempre está immudavel em seu lugar, e averda-
de proposta, que tudo permanecerá sem fim, e
nam fará Deosjuizo uniyersal com as creatu-
ras nem de agoa, nem de fogo, como dizem,
para consumilas de todo, por que a promessa
he nam aver de consumilas, fiqua sem ter con-
tra si cousa que se lhe possa com verdade, e
fundamento oppor, antes fundada, e fortifica-
da por authoridades expressas da lei, que ata-
zam de boa vontade recebe, e abraça.*

Soneto aos rebeldes porfiolos do povo.

A ONDE vas cego coitado? Não o sei:
Mostrame quem te guja: Não me gujo,
Mas de bom amigo pego me confio,
Antigo neste caminho, que encontrei.
Triste de ti, não ves que manda a lei.
As agoas ir buscar ao claro rio,
E não curvir do falso o como frio
Como ja por ella em parte te mostrei?
Anda, que tu não sabes o segredo,
Que ensina este meu cego, que me leva,
Que esse escondido está no cetro fundo.
Pois cego que assim anda seu enredo,
E na mentira um tanto se enleva,
Do lodo nunca suba do profundo.

S O -

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SONETO

Em

*Nome de alguns do povo quasi pe-
nitentes.*

D *Vreza grave, teima perfiosa,
Andar encontro a Deos continuado,
Desvio para o mal, o bem mudado,
Errada segurança tam danosa.
Lingoa das que me guiam venenosa,
Orelhas surdas, coracao cerrado.
Me tem o triste corpo assi chagado,
Mudada em pranto a franza saudosa.
Se tornara a men Deos perfeitoamento,
A sua doutrina, e lei me apegara,
Do concerto quebrado arrependido:
Entonçes me tornara toda a gente,
E elle como de antys me chamara,
Este o povo a meu, filho querido.*

Dent.
32.43.

Paz aos verdadeiros.

E X A M I N A T I O N
of Pharisaic Traditions
Compared with the Written Law

by

'URI'EL HEBREW JURIST

with Reply to One

SEMU'EL DA SILVA

who Exercises the Medical Profession, his
Perfidious Calumniator

AMSTERDAM

In the Printing-house of Paulo a Ravesteyn

Year of Creation

5384

To the Reader

Thus spoke Yehosua^c and Kaleb to the people:

Do not lend your ears to the treacherous clamour of those who, opposing God, obstruct and impede your welfare [Cf. Nm. 14, 7-10].

But, as the people's hearts were already beguiled and captivated by the false reports, not only were they not heeded, but they were about to be stoned, and might have well been, had the glory of the Lord not appeared promptly to save them.

I had begun to speak my mind on behalf of the truth of the Law, but the hearts of men were incapacitated from accepting it. Not only was I not heard but I should have found many stones upon myself, had God not taken the stones out of the people's hands and had He not denied them the power to inflict sentences. I still wanted to speak. Besides putting down my thoughts in writing, I continued to make other strenuous efforts to demonstrate the truth of what I was saying, until time taught me that all energy spent in this direction would be lost and that no purpose was served in persevering to offer good advice to such as would not listen to it and who, moreover, requited good with ill. As for my writing, I gathered up my papers and gave up the idea of publishing them. But then a medical doctor came out with a treatise full of vilification, which he entitled "On the Immortality of the Soul." It is imperative that a pernicious and hostile mouth should never go unanswered and that people should be given a chance to judge opinions on their merit. These considerations impelled me to compose a short compendium whose dual purpose is therefore to counter an evil man who uses calumny to further his unjust cause, and also to reduce the danger of people being altogether misled by him. This, then, is my aim and since my intention is to be brief, let us come straight to the point.

The sources of cited passages are given in the margin: first chapter, then verse. ¹

¹ In our edition the sources are given between brackets following the citations.

Chapter 1

*Proposition*¹

The Tradition which is called Oral Law is not a true tradition, nor did it originate with the Law.

[1.] The Tradition called Oral Law is contrary to the Written Law, as will become apparent from the examples which follow. Two opposites are incompatible and truth cannot be found in both. Therefore the Tradition which is contrary to the Law must be false if the Law is true, which it is. This is my first argument.

2. It does not appear from the Law that any explanation was given with it apart from that contained in the Law itself. If another explanation had been given, it is inconceivable that it should not have been referred to in some part of the Law: therefore a supplementary explanation was not given.

3. If the Law were not comprehensible without an oral explanation, it would follow that the Law was imperfect and did not allow of understanding. Such a defect is not to be attributed to the Law and it is necessary that its explanation be contained in the Law itself and not

¹ The introductory "[General] Proposition" (Chapter 1) is a revised version and enlargement of the seventh of the eleven "objections to Tradition" which da Costa had drawn up eight years earlier (1616) and sent to the Spanish-Portuguese Congregation of Venice. Even in 1616 da Costa put obsolete laws and customs and those with current applicability on the same footing. All eleven objections were replied to by Leon Modena (1571-1648), the spiritual leader of Venetian Jewry. As pointed out in our Introduction, at an unknown date da Costa's 1616 objections were incorporated by Modena, along with his own replies, in a work entitled *magen ve-sina* ("Shield and Buckler"), now our only source for the tenor of da Costa's objections as he had formulated them in 1616. Cf. part 2 of our Introduction for a discussion of the changes undergone by those that were incorporated by da Costa in 1624, as a result of his reactions to Modena's replies and strictures. As we shall see further on, even in this section of his book da Costa refers and reacts to material presented in da Silva's book which issued from the press the year before.

be committed to a memory and mind outside it. Therefore the true explanation which is to be found within the Law is sufficient for its understanding.

4. The king is commanded to transcribe the Book of the Law [Dt. 17, 18] and to read in it in order to observe and carry out all the words and statutes written therein; there is no depositary of the oral Law whom he is commanded to consult. Therefore, what the king recites must be the lesson of the Law, and not some fictitious material committed to memory.

5. Mose wrote in the Law all the explanation he had available. This is proven, because after having been with the Lord on Mount Sinai for forty days when they say he received the oral explanation, he still needed to consult the Lord about the man who had chopped wood on the Sabbath day² [Nm. 15, 32-34] and on other occasions he consulted on behalf of the daughters of Selofhad [Nm. 27, 5-6; 36: 5-6, 10]. Thus Mose had not received any explanation other than the one he wrote, as these cases and similar ones attest.

Beyond Yarden, in the land of Mo'ab, Mose desired to explain this Law, saying [...] [Dt. 1, 5].

This means that here follows in writing the explanation of the Law given by Mose himself.

6. So there is no room left for any explanation or Tradition, apart from what is written down in the Law. Besides, it stands to reason that any explanation indispensable to the Law would have had to be written down at the same time as the Law itself if the Law was incomprehensible without it.³ Since they claim that the Tradition was not written

² The Hebrew *meqoses 'esim* "gathering wood") (Nm. 15, 32-33) is mistranslated *cortán leñas* "chopping wood") in the Constantinople Pentateuch (1547), but correctly rendered *colligente ligna* by Santi Pagnini (*Utriusque instrumenti nova translatio*, Lyons, 1528) and *coscogién leñas* in the Bible of Ferrara (1553). It is highly unlikely that da Costa knew of the Constantinople Pentateuch, so we are left with the question of how and why the Constantinople Pentateuch and da Costa came up with the same mistranslation.

³ This argument is based on two assumptions which are far from self-evident: a) that a written document should be totally self-explanatory and b) if for any reason a written document does stand in need of a supplementary explanation, that explanation cannot be oral.

down at the same time as the Written Law, it could never have originated with the Law.

7. Our principal proposition [that no Oral Law was given along with the written Law] is proven because of the manifest impossibility of faithfully transmitting from mouth to mouth, for nearly two thousand years, from its origin until the completion of the so-called Babylonian Talmud, an explanation of the Law, filling so many tractates.

8. Furthermore, in the epoch of the Judges the people left the straight and narrow path and each, as the text says, did what was right in his own eyes. Then during the time of the Kings the book of the Law was lost, which, as if it were a new thing, after being forgotten, was read in the ears of the people, and only as a result of that reading was the Festival of Unleavened Bread reinstituted, a feast that at one time must have been so popular. Thus it would have been totally impossible for the explanation of the Law to have been preserved, when the Law itself was not observed and had lapsed from memory.

9. Were every copy of the Talmud's text to be lost, it would be impossible to reconstruct from memory alone the explanation of the Law as contained therein, and this in spite of all the study of the Talmud that goes on, whereby memory is daily refreshed. Before it was committed to writing, then, how much less could it have been preserved intact by memory alone for perfect transmission — and that by one individual.

10. But of course what is said about the chain of transmission, namely that the explanation received with the Law on Mount Sinai remained oral to be passed on from individual custodian to his disciple — another individual — down the generations, cannot be true. For it would follow that to each of these individuals who became depositaries of the Oral Law would be given and owed the same credit which was given to Mose himself, who was approved and justified as a witness of the living God before an entire people. And each of these transmitters would then be a new legislator, an absurdity so intolerable, so far-fetched, that it is sufficient by itself to confound and put to shame the authors and defenders of this baneful error.

11. In fact we know the Tradition was committed to writing over a long period of time, successive generations adding what they thought their predecessors had omitted. This demonstrates that what they wrote

was not traditional, for had it been Tradition, the first to write should have written it all, as he must have been in possession of it all, seeing that it was only through him that it could have been transmitted to the later writers. Instead, each author added to the existing corpus whatever seemed fit to him.

12. If such an unbroken tradition really existed, how could the discord between the teachers and sages themselves be accounted for? And what about the factions and dissensions occasioned when the first attempt was made to insinuate that this Oral Law was a traditional explanation of the Written Law? (This innovation was presumably made by people who wanted to temper legislation which seemed harsh to them and saw no other means of introducing the desired corrective. But they will also have sensed that it was to their advantage, in so far as it enabled them to dominate and subject the people to their orders and regimens.)

Their own account of the origin of the Oral Law goes like this: Ezra⁴ transmitted it to Simeon the Righteous, high priest; Antigonus his disciple received it from him, and passed it on to his companions⁵, including Sadoq and Boethus, the heresiarchs, as they call them. Reading between the lines of their account, one detects what really happened, namely that this Oral Law was an innovation which Antigonus with a few others wanted to introduce. They were immediately opposed by their contemporaries Sadoq and Boethus. That was the beginning of the schism concerning the validity of the Oral Law. A minority comprising the most important, learned and noble part of the people, sided with Sadoq and Boethus; the supporters of the Oral Law appealed to the populace by sweet allurements which they infiltrated into their preaching, such as immortality of the soul and mild penalties. The common people readily inclines to these enticements, because immortality is a desirable prize, and human nature is more inclined to mercy and pity than to the rigour of justice.

However, even among themselves disagreements occur continually. Their own explanation of this internecine strife is as follows. Semaya and 'Abtalion transmitted the Oral Law to Hillel and Samai who in

4 Da Costa here and elsewhere uses the Portuguese form of the name, Esdras, which derives from the Greek.

5 Da Costa's word is *companheiros*; he understood, as we see further on, that they were Antigonus' contemporaries. Cf. Mishna, Abot 1, 3; *Abot of Ribi Natan* A, 5, where they appear as his disciples.

turn attracted infinite numbers of disciples. Due to this proliferation schisms developed and the Law became as two Laws. Hence one finds throughout the books of the Talmud: the House of Hillel says this and the House of Samai says that, one always the contrary of the other. Yet not even the record of these controversies perturbs the authors and defenders of this error. They do not hesitate to say and write that when two rabbis dispute among themselves, taking diametrically opposite positions from one another's, no one is at liberty to contradict either, because each had to speak in accordance with a tradition received from Mose, and the words of the one and of the other are equally words of the living God. So Mose must have spoken through two mouths and apparently the living God utters contradictory statements.

13. Their chain of transmission contains falsehood, for they say: "Yehosua^c transmitted to Pinhas, Pinhas to 'Eli."⁶ Now it cannot be true that Pinhas transmitted it to 'Eli, because 'Eli did not succeed Pinhas. Rather did his son 'Abisua^c succeed him, and Buqi succeeded 'Abisua^c, and 'Uzi succeeded Buqi, as is found in the first book of Chronicles. This then agrees with the testimony of Josephus in the Fifth Book of the Antiquities where he says that 'Abi^cezer (this is 'Abisua^c with a change in the vocable) succeeded Pinhas and Buzi, 'Abi^cezer; 'Uzi succeeded Buzi and 'Eli succeeded 'Uzi. Thus, between 'Eli and Pinhas there were three who held the office of [High] Priest, so that Pinhas could not have transmitted anything to 'Eli whom he neither saw nor knew. But this difficulty they obviate by means of a fabulous tale, which claims that Pinhas lived for twelve generations up to the time of 'Eliyahu and 'Eliyahu was none other than Pinhas. We may refer to this story further on as a confirmation of our opinion, although it is more deserving of ridicule than of serious attention.⁷

14. If, as they say, the Tradition is necessary for the Law to be correctly understood and not be liable to misunderstanding and subjective interpretation, then this Tradition should cover all matters dealt with in the Written Law. However, it turns out that just where the written Law could perhaps do with elucidation, Tradition is lacking, leaving room for dissidence and when it does offer explanations — and bad ones at that — there was really no need for them. So it avails them

⁶ Cf. Maimonides, *Misne Tora*, Introduction.

⁷ This legend of Elijah's longevity rankled with da Costa; cf. (1616).A.11. Cf. (1624).2.6 and da Silva's response in the latter's chapter 19.

nothing to use this flawed argument and the intention of anyone who nevertheless uses it can easily be guessed. Or maybe the traditions were defective and scant in respect to that which most needed an explanation!

Finally, it is to a written covenant's violation that the Law's comminatory passages apply and it is to despising the written covenant and to persistent deviation from it that all the evils and extended punishments are attributed. This is amply shown all through chapter 26 of Leviticus, particularly in the verse:

[...] in as much and in as much as they spurned My judgements and their soul abhorred My statutes [Lv. 26, 43].

And for the evils to cease and the benefits to accrue it is necessary to make amends and satisfy that part of the Law which is offended, as it says:

If thou shalt hearken to the voice of the Lord thy God, to keep His commandments and His statutes which are written in the book of this Law [Dt. 30, 10].

Those written in the book of the Law, it says, not those written in the Talmud, as further appears from what follows:

For this commandment which I command thee this day, is not hidden from thee [...] [Dt. 30, 11].

The charge that the Law is not being followed is made by the prophets when they complain of the thwarted covenant, alteration of judgements and statutes, sham Scripture and forgeries, observance of human rather than divine commands:

How can you say, "We are wise and the Law of the Lord is with us?" Surely, the pen wrote in vain, falsification of the scribe. The Sages are put to shame, they were broken, they were trapped: lo, they have spurned the word of the Lord; and what wisdom is theirs? [Jer. 8, 8-9].

And in chapter 31 the same prophet says that because Yisra'el spurned the agreement written on paper, the Lord would make another with them written in the heart, so that they would not be able to thwart it with false doctrine. And Yehezqel says:

And she has changed My judgements into impiety more than the nations, and My statutes more than the countries around her [...] [Ezek. 5, 6].

Innumerable places may be found in confirmation of this truth, accessible to any who wishes to see them, unless his eyes be clouded.

We have established sufficient foundations to support our position. Were we now to include the replies of our opponents and the grounds on which they base themselves plus our counter-replies, it would of course highlight much more strikingly the truth of our position. Since, however, one cannot fit onto one quire what was written on fifty folios, and since our purpose has changed in the meantime, we are jettisoning it all and restricting ourselves to those instances which prove the first and principal foundation of our proposition.

Chapter 2

*Concerning the Punishment of One Who Maims his Neighbor*⁸

In Leviticus it is stated as follows:

And a man who gives a blemish in his neighbor: as he has done, so shall it be done to him; breach for breach, eye for eye, tooth for tooth: like the blemish he gives in a man, so shall it be given in him [Lv. 24, 19-20].

Tradition makes its appearance and says that retaliation in kind is not to be inflicted upon one who thus maims but the only punishment to be exacted is a fine. We prove the falsehood of this tradition:

1. The self-explanatory text of the Law allows of no ambiguity and cannot be applied to a pecuniary compensation, if the words 'like the blemish he gives in his fellow, so shall it be given in him' are to be faithfully construed. What can it be that has to be given, but another mutilation? A mutilation is what he caused, and as we have seen in the

⁸ This is a revision of (1616).B.6 which consisted of seven arguments, whereas the present version has nine. The order is the same, but arguments 3, 6 and 9 are new. (1616).B.6.7 — a comparison between rabbinic and gentile legislation in respect to the talion — has fallen by the wayside.

text just cited, it says: "so shall it be given in him"; meaning to say, the same mutilation shall be given in him. Mark the Hebrew word meaning "in him" which connotes the person of the offender; on his person, not on his property is the penalty to be imposed. The Law, not satisfied with generalities, manifests its intention more explicitly by adding specific examples: "eye for eye, tooth for tooth". The examples would not be genuine if it were possible to give ten or twenty pence for the maiming of an eye, nor does the Law estimate the pecuniary value of eyes. Our understanding of this verse finds confirmation in another text, concerning one who gave false testimony: the Law orders that to the perjurer be done as he had conspired to have done to his brother: "soul for soul, eye for eye" [Dt. 19, 18-21]. And if it were true that an eye or a tooth could ever be compensated for with money, then "the evil that the false witness wished to bring about" could be compensated for with money. In that case the perjurer who conspires to inflict death — of whom it says "a life for a life" — could also be compensated for with money, something that even our opponents do not assert; rather do they acknowledge that the false witness intending to inflict death must die. Now if he must suffer the death which he wanted to cause by his false testimony, then also in the other examples enumerated in that selfsame Biblical text he shall suffer a corporal mutilation equal to the one he caused, in conformity with the Law's prescription.⁹

2. When two scuffled among themselves and one wounded the other without maiming him, the Law enjoins that the offender pay for

⁹ Da Costa is trying to convey that since all agree that Dt. 19, 18-21 must be interpreted literally as far as that one component that speaks of "a life for a life" is concerned, it follows that the other components ("an eye for an eye", etc.) should by analogy be understood literally as well. In the case of the perjurer, by specifying "which he wanted to cause," da Costa is careful, for once, to stay clear of controversy. The Pharisees ruled that the false witnesses are only put to death if the victims of their conspiracy had not yet been executed when their false testimony became exposed. If, however, they are found out only after the death penalty (caused by their perjury), had been effected, they apparently go free, because Dt. 19, 19 only prescribes death for the false witness who *intended* to cause death (Mishna, Makkot 1, 6), not for the one who *actually* caused death. This Pharisaic ruling was attacked on moral grounds by christian anti-rabbinist writers, notably Sixtus of Siena in his *Bibliotheca Sancta* (1st ed., Venice 1566). *Hakam* Saul Levi Mortera — who upheld da Costa's excommunication in 1616 — daringly reinterpreted the Pharisaic ruling to mean that also in the case where the falsely accused person *had* been executed the false witness was to be put to death, but by a different form of capital punishment and on different grounds than if the accused person had *not* been executed. For this reinterpretation he was posthumously accused of heresy by his successor, *hakam* Jacob Sasportas (*Ohel Yahacob*, Amsterdam, 1737, Responsum 17).

the medical treatment and compensate the loss of man-hours [Ex. 21, 18-19]. Now if, where mutilation is concerned, it had been the intent of the Law to impose merely a pecuniary penalty, it could have expressed itself as it did in the case just quoted, adding perhaps a further pecuniary penalty such as 10 or 20 pence over and above the defrayal of the medical expenses and the interruption of work, which Ex. 21, 19 orders to be compensated for. Yet the fact is that the Law did not say this and referred instead to eyes and teeth, a purely corporal penalty which has nothing pecuniary about it. Monetary compensation is very unjust and incommensurate as regards a physical injury caused to a person, and totally foreign to the words and intent of the Law, which did not demand such a penalty.

3. Whenever the Law wishes to impose a pecuniary penalty, whether fixed or discretionary, it spells it out, as can be seen in all the instances scattered throughout the Law. In the present case it makes no such provision. Neither should we, therefore, invent it.

4. He who blinds a slave in one eye or knocks out his tooth is obliged to set him free for that eye or tooth. Liberty is worth more than any fine to which one could possibly be condemned for knocking out the tooth of a free man. Therefore a pecuniary penalty is inadequate to compensate free people for the loss of an eye or a tooth, just as it is not sufficient between a serf and his master.

It is no use arguing that the master is commanded to manumit the servant on humanitarian grounds or on the grounds that disfranchised persons were legally incapable of ownership.¹⁰ No, it is not because of the inhumanity, but because of the disfigurement that the master is commanded to give liberty "he shall set him free because of his eye" [Ex. 26, 26]); besides, he can whip him to the point of risking his life (an evil deed) and he does not set him free for all that, although it is a far greater inhumanity than knocking his tooth out with a well-aimed punch. And even supposing it were because of the inhumanity [that the servant is set free] (which is not the case), it is neither here nor there, so we shall waste no more time on it. The other reason is also worthless; the servant would indeed have been capable of receiving money and of using it as he pleased, had Scripture chosen to impose a monetary fine on the master.

¹⁰ Cf. Mishna, Kidushin 1, 3, but the information no doubt came to da Costa via Modena's reply to (1616).II. 6.3.

5. Reason and equity demand that payment must be equal to the debt, or it would not be a just payment, because justice is founded on equity. Thus he who blinds his fellow in an eye owes an eye, since no assessment insuring commensurate monetary payment is possible: neither does the Law or reason put a price on eyes. Therefore it is only with another eye, which is retribution in kind, that restitution can be made, just as life is paid with another life, no monetary valuation of a life being possible.

6. The divine Law is so upright, fair and just that it never demands less satisfaction than is due; rather is the culprit fined beyond his misdeed in many cases, so that the excess serve as a deterrent. One example is the fivefold restitution exacted from the man who steals an ox [and then either slaughters or sells it; cf. Ex. 21, 37], and there are many other examples where the Law, out of abhorrence for crime and sin, imposes execution by burning or stoning. Now, since this is the constant and unswerving way of the Law, it is hardly to be assumed that he who blinds his fellow in one eye, would be allowed to get away with such a disparate penalty as money to compensate for a permanent physical injury; and being purely physical, the destruction of an eye cannot be more equitably compensated than by the removal of the perpetrator's.

7. The intention of the Law and its judgements was not merely to punish crimes with equity, but also to deter men from committing them by the threat of such physical punishment, and thus maintain society at peace and safe from harm. This end could not be achieved if the felon who deprived his fellow of a member could satisfy the law by paying a pecuniary fine as the only penalty; in the eyes of any vindictive person such a penalty would seem too trivial to dissuade him from carrying out his bad intention. Therefore it is necessary that the penalty be of a different order, and indeed of another order is the one that the Law imposes and needs must impose.

8. The woman who seized a man's privy parts to deliver her husband from a stronger opponent, is punished by having her hand cut off, without any pity or consideration for her motivation [Dt. 25, 11-12]. Surely for a man to cut off another man's hand [Dt. 19, 21] is a much more heinous act, where there is neither pretext nor justification. Therefore there is no reason for the judgement of the Law in the latter case to be milder than in the former and to content itself with a light

pecuniary penalty. So all told the reasonableness of the Law prevails against the falsehood of Tradition.¹¹

9. We are not saying that if someone strove with another and rolling over the ground with him he disjointed one of his bones or made him a hunchback, that another hump should be made on the back of the perpetrator, because a lot of study would be needed to acquire this art of making people into hunchbacks. We are dealing with the eye, the hand, the cut-off finger; in other cases the verdict may be different.

Chapter 3

*On the Judgement of a Man who Killed Another with Intent*¹²

He that smiteth a man, and he dies, shall surely be put to death. And if one did not lie in wait, but God allowed him to fall in his hand; then I will appoint thee a place to which he shall flee. But if a man comes presumptuously upon his neighbor to slay him guilefully; from My altar thou shalt take him to be executed [Ex. 21, 12-14].

In explanation of this law the Tradition says that he who kills a man with intent¹³ is not executed, unless, while he was battling or struggling with his victim, he had been adjured and warned not to kill: a tradition which is inimical beyond description to peace and public tranquillity; a fomenter and generator of all evils.

¹¹ The Pharisees' consistent attempts to humanize the Law, marked by da Costa, could be perceived as a compelling vindication of their programme (cf. Josephus, Ant. 13, 10: "[...] the Pharisees [...] are not apt to be severe in punishments."). But since the only criterion for da Costa is scrupulous adherence to his literal (and often superficial) understanding of the Law, the Pharisees — far from being worthy of praise — stand doubly condemned a) for veering from (da Costa's reading of) the Law b) for setting up a standard of their own whereby they judge (da Costa's reading of) that same infallible Law and decide its institutions to be in need of reform.

¹² Not included in 1616.

¹³ Da Costa is misrepresenting the Talmud somewhat when he says "with intent." The whole purpose of the warning which the Talmud prescribed "is only a means to distinguish between intentional and accidental homicide" (Sanhedrin 8b, 72b). Da Costa may have misunderstood the warning's purpose to differentiate premeditated killing from that perpetrated in self-defence.

By the norms of divine Law, Natural Law and reason, it is not merely this performance — required by its inventors for the killer to be convicted — that is an obvious fiction, but the requirement to distinguish between killing in self-defence or out of malice is itself highly questionable.¹⁴ For the Law does not explicitly exonerate any killer from the death sentence except the accidental homicide who acts without intent or forethought.¹⁵ But all intentional homicide is very hateful and abhorrent to the Law and there is no room for leeway. Since the Law, then, provides no express exemption from the death penalty for a homicide who kills in self-defence, if we do concede him exoneration, it is only because common sense tells us that it is lawful for any man to defend himself against an assailant.¹⁶ But what precisely are the criteria for “self-defence”? Is it necessary to receive with a sword the one who comes stick in hand? Is there not also “defence” when one retreats from and gets out of the way of another or is it necessary that all be determined by arms? Why should one resort to war-tactics at a time of peace, when one could avoid danger by less violent means? And minimum violence is after all what the Law wants. Indeed, even in the case of the thief who was tunneling into the house at night, where the Law exonerates the householder who killed him from the death penalty, it is only because the incident took place at night [Ex. 22, 1]. Had it happened by day, that householder would have been guilty of bloodshed, because it would have sufficed to shout out for help; the Law did not wish arms to be taken up against the thief, a form of resistance disproportionate to the force of the felon. Only at night were such extreme measures permitted because of the unfeasibility of more passive ones, and the householder’s fear of being killed if the thief got inside and also because at night it is impossible to take the precautions which can be taken by day. Thus, as we said, one must carefully ponder how and when it is licit to have recourse to force of arms in self-defence with risk of great hurt to the enemy, and one must proceed in this case with great circumspection, as was well known to human rational law.

¹⁴ In fact the Talmud rules that if it can be shown that the homicide overreacted, *i.e.*, killed an attacker who could have been stopped by less violent means, then he — the homicide — faces capital charges. Cf. B.T. Sanhedrin 57a and b, 74a.

¹⁵ See however Dt. 19: 6, 11-13.

¹⁶ It reads as if at this point da Costa is oblivious to Ex. 22, 1 for if he had it in mind it is inconceivable that he should have written “if we do concede exoneration, it is only because common sense [...]” When a few lines further he comes to deal with this verse, it is as if he had suddenly discovered it. His comment on it gives the impression of being a (hastily?) improvised afterthought.

The latter requires that the attacked person withdraw and entreat the aggressor to leave him alone. And if nothing avails, he can unsheathe his sword and defend himself, even though such defence leads to an offensive action. But the pious, or rather impious and venomous traditions are grotesque. Therefore it is not surprising that they gain no consensus and that the Lord says of His people and of His city:

And she has changed My judgements into impiety more than the nations, and My statutes more than the countries around her [...] [Ezek. 5, 6]

and, for this very reason:

Woe to the bloody city! I too will make a great pyre [...] [Ezek. 24, 9].¹⁷

Chapter 4

*On the Case of the Ox which Gored a Man*¹⁸

And when an ox gore a man or woman, and they die; then the ox shall surely be stoned, and its flesh shall not be eaten; but the owner of the ox is innocent. And if the ox was wont to gore in time past, and its owner had been warned, yet he had not guarded it, and it killed a man or a woman; the ox shall be stoned, and also its owner shall die. If an expiation be imposed on him, then let him give for the ransom of his soul whatever is laid upon him [Ex. 21, 28-30].

As an explanation of this law the falsifiers declare that in no circumstances is the owner of the goring ox to be put to death, even if he had been warned a hundred times that he was to keep it in. The falsehood is manifest and is proven as follows:

1. The Law expressly commands that the owner of the ox die, and only allows the commutation of the death penalty if the avenger of

¹⁷ It is not clear if our author believes that modifications of Mosaic Law of the kind found in the Talmud were being introduced as early as the time of the prophet Ezekiel (6th century B.C.E.), or that these verses are simply predictive. Cf. da Costa's explanation *infra*, chapter 5, of certain verses in Dt. 32 in a similar vein.

¹⁸ This corresponds to the fifth objection of 1616, which was apparently not divided into subsidiary arguments.

blood is willing to accept redemption-money. Only if such terms are reached by the two parties is he exonerated from the death penalty, not otherwise.

2. Had the Law wanted in this case to exempt the man from capital punishment, the Law itself would have imposed a fine and fixed the amount, just as it did in the case of the ox which killed a manservant or a maidservant [Ex. 21, 32]. Here the Law did not do so, but demanded the death sentence, to be commuted into a monetary penalty only with the consent of the victim's next of kin. So the original intent of the Law was not to require money; nor can money satisfy in this case except in the specified circumstances.

3. If the owner of the ox were in no case to be executed, the Law would have no reason to make two provisions, one for the owner who had not been cautioned, and is acquitted; and another for the one who had been cautioned, who is condemned to death.¹⁹

4. He who causes an evil is regarded as the author and perpetrator of that same evil. (This is contained in the Law: see the judgement of the one who opened a pit and did not cover it and another's ox fell into it; he is made to pay the owner for his ox as if he had killed it with his own hands [Ex. 21, 33].) The owner of the ox, who had been cautioned to guard his animal and had failed to do so, was the cause of the death inflicted by the animal. Therefore, he is to be regarded as the author of that same death and to be judged accordingly.

5. One has to lie in the bed one has made. The Law is just and does not allow of an accommodation which would prejudice the aggrieved party's rights without the acquiescence of that party. Therefore the owner of the killer ox, having been warned, is liable for the blood that his ox shed through his fault and cannot be pardoned

¹⁹ At the outset it sounds as though this proof is to be derived from the simple fact that the Law separates the two cases and treats them discretely — not an unreasonable argument. But then Uriel makes his argument circular by attributing to Scripture the phrases "is acquitted" and "is condemned to death." Had Ex. 21, 28-30 really contained such explicit pronouncements, there would have been no room for the rabbinical interpretation and no need for Uriel's proof.

without the consent of the other side. Only with that consent does the Law grant him the alternative of paying ransom-money, in view of his not being the immediate agent, which it otherwise would not concede, even if the aggrieved party were to pardon seven times.²⁰

Chapter 5

*Concerning the Judgement of One who took Daughter and Mother to Wife, and the Profane Daughter of a Priest*²¹

And if a man take a woman and her mother, it is wickedness: in fire they shall be burnt [*ba'es yisrefu*], both he and they; that there be no wickedness among you [Lv. 20, 14]. And the daughter of any priest, if she begin to fornicate, she contaminates her father: in fire she shall be burnt [*ba'es tisaref*] [Lv. 21, 9].

By way of explanation or corruption of these laws, Tradition says that in no way should perpetrators of such profanation be actually incinerated, because it is not right to deal with human beings this way, but a towel should be put around the neck, forcing the culprit's mouth open. Then molten lead is dropped in, which they claim, is "burning in fire." This tradition is false, as can be seen, and against divine justice, which it reproaches for being cruel. And under the cloak of misguided piety, it alters His judgements here and elsewhere. The falsity is proven:

1. because the word "fire" [*'es*] which the Law uses, denotes and signifies real flames, kindled for consuming and devouring, and not any other thing, however blazing hot it may be. The sacrifice which was made to the Lord and which was consumed in fire [*'ise*], took its name

²⁰ There appears to be little or no development in the five sections of this objection, which continuously belabour the same point.

²¹ This corresponds to the fourth objection of 1616, which was divided into three subsidiary arguments, expanded here to four.

from the same Hebrew root as fire [*'es*]. Moreover the verb "to burn" implies a burning done with fire. For this reason Mose said:

I will now turn around, and see this great sight, why the bush is not burnt [Ex. 3, 3].²²

'Why does it not burn the way things usually burn, that is, being consumed?'

The traditionalists (another name would fit them better)²³ tell us a tall story: they say that the bodies of the sons of Aaron emerged intact from the divinely decreed burning.²⁴ Hence they derive that it is possible to burn a man without his body being consumed.²⁵ We answer them that if they have a way of consigning a person to flames which do not char the body, let them do just that and it will not make much difference to us whether the body is or is not consumed. However, if in order to leave the body intact they have to deflect the fire and apply it at a remove from the body, what has this to do with miracles which only God can perform?

2. Further proof: the Law would be most imperfect and the charge could be made that it is misleading had it meant the words "to be burnt in fire" to express the requirement that the culprit swallow molten lead. In the same clear way as it elsewhere specifies "stoning with stones," it orders here "burning in fire," words that in fact have no connexion with lead, nor with scalding to death by means of lead.

3. Furthermore, this curious application of lead is an extraordinary means of execution, bizarre and unnatural, and there is no

22 Da Costa is evidently unaware that another Hebrew verb, *yib^car*, is used here to signify burning, not the one which occurs in Lv. 20, 14 and 21, 9; the two are not always synonymous.

23 In the absence of a one-word Portuguese designation for "traditionalists" in the broader sense, da Costa makes up a word *traditores*. When, in his snide parenthetical remark, he says "another name would fit them better", he is no doubt punning with the Portuguese word *traidores*, meaning "traitors."

24 Cf. Lv. 10, 1-2; B.T. Sanhedrin 52a.

25 Leon Modena's reply to the 1616 formulation of da Costa's objection, as reported in *magen vesina*, includes this 'aggada. It derives from Sifra on Lv. 10, 5 and is cited by Rashi, *ad. loc.*

trace of it elsewhere in the Law, nor does the Law prescribe outlandish means of execution, but rather the most common and ordinary ones.²⁶

4. Further, the culprit could hardly have perished by reason of the heat intrinsic to the lead, but rather by reason of the towel with which they choked him and made him open his mouth, so that by the time the lead entered, he was already strangled.²⁷ It was all a deception to make people believe that death was being inflicted by something heated in fire: and then they would point to the sons of Aaron remaining intact after they were consumed by divinely decreed fire. Against these falsehoods and against this false fire, says the Lord Himself:

For a fire is kindled in My anger; it shall burn to the nethermost parts and shall destroy the earth and its produce [...] [Dt. 32, 22].²⁸

Chapter 6

*On the Redemption of Sold Property*²⁹

Leviticus 25, 26 legislates that the indigent person who had sold a part of his inheritance, thereafter coming into money, may redeem it again from the purchaser. Enters Tradition and says that he shall not be able to redeem with money obtained from the sale of another property, which was not as good as the first one he sold. But to redeem consecrated property he may use any money that comes his way.³⁰

This tradition is totally false, tyrannical and an enemy of the poor.³¹ The Law is entirely in favour of the seller and does not impose

²⁶ Execution by molten lead da Costa considers "outlandish and unnatural", whereas burning at the stake is for him "common and ordinary". This subjective categorization may have been influenced by his familiarity with the autos-da-fé.

²⁷ Cf. R. Yehuda's opinion in Mishna, Sanhedrin 7, 2.

²⁸ Da Costa is reading into Deuteronomy a most fanciful Midrash of his own invention to the effect that Moses foresaw and condemned the introduction of the lead and towel. Cf. *supra*, note 17.

²⁹ Not included in 1616.

³⁰ Cf. Sifra, *Behar*, 5; Mishna, Arakin 9, 2.

³¹ See, however, the justification of R. Sim'con in the Sifra *cit. supra*: "Why [the discrepancy]? Because unredeemed sold property reverts in any case to the original owner

on him a condition concerning the provenance of money — an unheard of pretext. He could have redeemed his property with money from the poor-box, *a fortiori* with the proceeds from another property he sold (poor chap):

But if he cannot redeem it [...] then the property shall go out in the jubilee-year and it shall return to its owner [Lv. 25, 28].

Thus, the whole Law favours the indigent seller, whereas the Tradition, the enemy of the Law, on the other hand, favours the rich buyer.

Their differentiation between sold and sanctified property, facilitating the redemption of the latter, also turns out to be false,³² because to redeem sanctified property the Law requires the original owner to redeem it at a price one fifth above its estimated value [Lv. 27, 19]. On the other hand, to redeem sold property, the Law does not require anything to be added to the value of the property. Thus, by the imposition of the fifth, the Law makes the redemption of consecrated property more rather than less onerous. That this is so in the case of consecrated property is made patent by the Law in many places.

Chapter 7

*On the Judgement of the One who Stole an Ox*³³

If anyone should steal an ox, or a sheep, and kill it, or sell it; he shall pay five oxen for an ox and four sheep for a sheep [Ex. 21, 37].

That is the Law. Against it Tradition teaches that if the thief consecrated the stolen ox and afterwards sold it, he shall not pay the owner more than two oxen: two abominable falsehoods. The first,

in the jubilee year, whereas unredeemed consecrated property becomes definitively the property of the sanctuary in the jubilee year.”

³² Da Costa’s insinuation that the “traditionalists” tampered with the Pentateuchal prescription concerning the redemption of sanctified property, is of course misleading. As a result of the rabbis’ making the redemption of sold property more difficult, the redemption of consecrated property automatically became easier relative to the redemption of sold patrimony. They did not, however, modify the scriptural provisions for consecrated property.

³³ Not included in 1616.

saying that stolen goods can be consecrated unto the Lord, the other in reducing the sentence of the thief under his cloak of *impiety*.³⁴

The first is false because one who is not the owner of property but has come by it through such unjust means as theft, cannot pass onto another property rights which are not his. And just as the vow of those who are not at liberty to bind themselves is invalid, except it afterwards be confirmed by the superior, in the same way the immoral offering of the pious thief, who was not entitled to consecrate it, is invalid *ab initio*.³⁵ Moreover, the Law prohibits the offering of an animal in which there is a blemish. And if one that has a broken leg is improper for offering, how much more so the one that was stolen. Similarly the Law prohibits the wages of a meretricious woman being brought to the Temple (Dt. 23, 19); the same Mosaic Law (cf. Lv. 5, 23) commands this devout thief to return the goods to their rightful owner.

The second falsehood is proven because the owner of the ox never lost his rights and even if the thief's offering were valid, he still owes five oxen to the owner of the ox over and above the offering he owes the sanctuary, because he obligated himself twice, once by the theft and again by the offering.

2. If Tradition's interpretation were valid, the Law's provision would be circumvented, to the benefit of the criminal, and thieves would be enabled to escape punishment by consecrating stolen property. What a preposterous idea!

3. Either this consecrated ox belongs to the sanctuary, in which case the priest ought to be given two for one as a penalty for its having been sold after consecration; or, if it belongs to the original owner then it is he who must be compensated [fivefold]. But lo and behold, [twofold] restitution is what [the Traditionalists] would have the thief make to the original owner and nothing to the sanctuary. But then, of what validity is a consecration that avails the sanctuary nothing and whose

³⁴ Cf. Mishna, Baba Qama 7, 4.

³⁵ Nm. 30, 4-8 says that the vow of persons who are not at liberty to bind themselves is valid, unless disavowed by their superior; just the opposite of what da Costa claims. His comparison of stolen property with vows seems altogether inappropriate, for obvious reasons. It is strange that da Costa ignores Scripture's condemnation of those who offer stolen property to God (cf. Is., 61, 8; Mal. 1, 13).

only effect is to alleviate the thief's penalty? To what length will false tongues go towards favouring criminals and rejecting divine judgements? ³⁶

Chapter 8

On the Use of Tefillin ³⁷

The use of *tefillin* is an abuse and an invention of men who misunderstood and misinterpreted the Law; as such it should be judged and rejected:

1. Because the Law neither commanded these so-called *tefillin* to be made, nor indicated their shape or form; in fact, their very name is unknown to the Law and the Castilian version had no right to render the word *totafoṭ* ["frontlets"] by another Hebrew word [*tefillin*] which nowhere occurs in Scripture. ³⁸ Had the Law wanted such things to be made, it would firstly have commanded them, then indicated their shape or form — as it did with *sisit*, commanding its making and explaining its colour and application [Nm. 15, 38]. This pattern is invariably followed throughout the Law, whenever specific practices are prescribed.

2. The verses from which they derive the precept of *tefillin* had first to be misinterpreted by their commentators to yield the meaning they desired. The language of the Law in these verses is figurative, as

³⁶ Cf. B.T. Baba Qama 76a, ff. The Gemara seems to share some of our author's misgivings on this particular Mishnaic legislation.

³⁷ The objection to phylacteries was the first one in 1616. Cf. our Introduction, 2 for a detailed comparison between the 1616 and the 1624 versions of this chapter and a demonstration of Leon Modena's input in the definitive version.

³⁸ The "Castilian version" referred to is the one printed at Ferrara in 1553 which renders each occurrence of *totafoṭ* by *tefillin*. Illogically, however, Ferrara renders the word *'ot*, traditionally interpreted as "*tefillin* of the hand", by the Castilian word *señal*.

in many other instances, and not literal. To be in harmony with the spirit of the lawgiver, it is necessary to understand allegorically:

And these words, which I command thee this day, shall be upon thy heart [...] And thou shalt bind them for a sign upon thy hand, and they shall be as frontlets between thy eyes [Dt. 6: 6, 8].

In these verses the intermediary of the Law, as a good and wise master, gives the people an emphatic command to remember God's love firstly in their hearts, repository of thoughts, next on their tongue and, finally — availing himself of a rhetorical manner of speech —, he tells them that they should remember these words as if they carried them for a sign on the hand and as a constant presence before their eyes, so that they might never forget. This is supported by another verse in the Law, which speaks similarly:

And it shall be for thee as a sign upon thy hand, and for a memorial between thy eyes [...] [Ex. 13, 9].

And soon afterwards it changes its formulation and says:

And it shall be for a sign upon thy hand, and for frontlets between thy eyes [...] [Ex. 13, 16].

Thus, the Law uses "memorial" and "frontlets" interchangeably, which demonstrates that the words "for frontlets" mean "for a memorial," and the words "for a memorial" hardly signify something written and enclosed in a box on one's forehead. Such allegorical and vivid forms of expression are often used in the Law. Thus it calls the people "stiffnecked," to describe their great obstinacy. To better convey the image of oppression, it speaks of the Lord breaking the yoke which they bore on their necks in Egypt [cf. Lv. 26, 13]. The promised land's lushness and luxuriance is metaphorically expressed by: a land flowing with milk and honey. All these are allegories "allegory," so that every one may understand, is when words say one thing and suggest another). In the same manner spake Selomo:

Let not mercy and truth forsake thee: bind ye them upon thy necks; write them upon the table of thine heart [...] [Pr. 3,3].

And in the Song of Songs:

Set me as a seal upon thine heart, as a seal upon thine arm [...] [8, 6].

This means: 'remember me':

Upon the palms of my hands I have inscribed thee; thy walls constantly before me [Is. 49, 16]:

'You are ever present in my memory'. The adversaries hold that the sign is a concrete and visible thing and refuse to see that the language of the Law is figurative rather than literal. For even the word "seal," which would normally denote a concrete and visible object, is here [S. of S. 8,6] not literally interpreted by anyone.

3. Further proof: for a man to go the whole day with his arm strapped, imprisoned and encumbered, for all his natural and servile tasks, is improper, inconvenient and repugnant — and it would be nothing less to carry those bonds and impediments on one's arm and head, especially as one would be required to wear them at all times. But the Law did not prescribe nor could it prescribe such improprieties, inconveniences and impossibilities.

4. For if the precept of putting on *tefillin* were a precept of the Law, this precept would be obligatory not just all day, but every day, because the Law made no exceptions; this, however, is not the custom, and on sabbaths and holy days the people are exempt. Therefore the provision is either entirely man-made, or it was against the Law that the people were exempted (we shall not include here their absurd response³⁹), but it yet will be shown that the provision is in fact man-made.

5. The regulations concerning the form and shape and the placing of the *tefillin* are all erroneous and misguided; they are not rules of the Law. It is also erroneous — though actually quite funny — to say that the leather of these cubes and encasements must be made of skin of an animal that may be eaten, because thus one complies with the precept:

[...] that the Law of the Lord may be in thy mouth [...] [Ex. 13, 9].

³⁹ A reference to Leon Modena's reply. Cf. our Introduction, 2, and notes 60 and 61.

It is equally erroneous to say that the knot on the left arm must be on a spot that faces and can be placed on the heart, in compliance with the precept:

And these words [...] shall be on thy heart [Dt. 6, 6].

The tenor of these and other foolish rules betray the origin of the *tefillin* and their ritual.

6. The jews who are called Sadducees neither had nor have this custom, and the name Sadducee is as ancient as the name Pharisee (these names having come into use during the time of the Second Temple to identify them and distinguish them from each other). So the custom and testimony of the former confirm the truth which is derived from the Law and confound the contrary, superstitious, erroneous abuse, as does the Law itself.

Chapter 9

*On the Configuration of the Circumcision and Abuses Concerning It*⁴⁰

The practice of *peri'a* is foreign to circumcision. This is proven by the following:

1. The Hebrew verb used in the Law signifies cut all around, cut across, cut away. That is done by simple circumcision and it is not necessary to add *peri'a*, which is splitting. Therefore the *peri'a* which is carried out after the foreskin is already cut, is superfluous and irrelevant, alien to the Law and to circumcision as such.

2. The part of the foreskin which is redundant and useless and closes up the member, is totally disposed of by circumcision; and

⁴⁰ This corresponds to da Costa's second objection of 1616. While the number of subsidiary arguments is the same in both versions, consultation of *magen ve-sina* demonstrates that the material has been recast in the light of Modena's strictures.

since the Law did not require or desire that more be opened or uncovered, to do so would be adding to the Law, which is tantamount to detracting from it. So *peric'a*, which is an addition to the Law's requirement, must be contrary to the Law.

3. The Law does not prescribe *peric'a*, and the Sadducees do not practise it. So this custom of the Pharisees, not backed up by the Law or, rather, against the thrust of its words and at variance with Sadducean usage, should be condemned, along with other of their abuses, for reasons we have shown elsewhere. And were the erroneous and vain grounds on which they base themselves to be exposed, our charge would become even more understandable.

The chair prescribed to seat the prophet 'Eliyahu at the circumcision and the rest of the preparation amount to nothing but impious superstition; all this is founded on a fable not worth writing down or wasting time with.

Moreover it is a disgraceful and vile abuse to take the member in one's mouth in order to suck the blood. The excuse offered is, that after circumcision the member is no longer what it was. As for the anecdotes told to back up this excuse, I am unable to write them down, because the hand refuses to pick up the pen to do so.⁴¹ Every bit of it is ugly superstitions, abominated by God.

Chapter 10

On the lulab ⁴²

And ye shall take for yourselves on the first day fruit of the beautiful tree, curvatures of palm trees [...] [Lv. 23, 40].

The Tradition which is provided to explain this law is false. It claims that the Law prescribes to take a citron, which is a beautiful fruit, as well as branches of certain other trees, and with these in hand to make

⁴¹ The unrepeatable "anecdotes" may include Modena's citation of a "wise man" who said that a human being's mouth is more in need of being covered up than the private parts.

⁴² Da Costa did not mention the palm and the citron in 1616, but seems to have been inspired to do so in 1624 by Modena's discussion of them in his reply to da Costa's 1616 "General Objection" to the Oral Law. Cf. Introduction, 2.

movements and thrusts.⁴³ And God tells the one who plays such games and makes such inventions before Him without His authorization, to be gone from His sight, because He cannot abide it.

The falsehood can be proven because it is apparent from the Law that the purpose of taking these branches is to use them for the construction of booths to dwell in, as it says:

In booths ye shall dwell seven days [...] [Lv. 23, 42].

Saying that they should dwell in booths seven days implies that the branches were to be used in the construction of the very booths which they were to inhabit. Obviously they were not intended for games or brandishing. This is clearly shown where the people were commanded by ‘Ezra to go to the mountain and fetch branches of olive, pine, myrtle and other trees with which to make booths as was written in the Law [cf. Ne. 8, 15]. So what “was written” was understood to prescribe branches for the making of booths, not for the purpose of brandishing. And those very booths made out of cheerful greenery enhanced the joy of the festival. The branches, then, were intended for the construction of booths and not at all for carrying about or for practicing the art of fencing.

2. Moreover, the Law does not say that one should take a beautiful fruit [for whatever purpose], but a fruit of the beautiful tree: thus it requires the tree to be beautiful — not the fruit. So it is vain that they tire themselves out looking for perfect citrons, in fulfilment of a non-existent text.

The meaning of the Law is to take the branches of the trees and not the fruit without the branch, and when it said to take the fruit, it understood the entire branch to which the fruit is commonly attached. As when it says:

And the woman saw that the tree was good for food [...] [Gn. 3, 6],

⁴³ The movements and thrusts were not attributed to the Law by the Mishna (Sukkah 3, 9) which simply records that at one time (probably in reference to Temple services) the *lulab* used to be shaken during the recitation of the *hallel*. It is significant that the Mishna employs the past tense when referring to this practice. It never makes the custom out to be a binding one, much less a Biblical requirement which — all agreed — was fulfilled by taking and holding the *lulab*. Nevertheless, shaking the *lulab* assumed symbolic (or magic?) import and became standard practice.

it did not wish to say that the tree itself was good for food, but the fruit of the tree was good, *i.e.*, a synecdoche. In the same manner, what °Ezra literally said in the above-cited verse, was that they should take *leaves* [°*ale*] of the olive-tree, *leaves* of the pine-tree and *leaves* of the myrtle-tree. Yet it does not mean that they should take just the leaves — for a fine house could be put together with leaves! — but rather branches which are in leaf.

With good reason the olive-tree is called beautiful:

A leafy olive-tree, fair with goodly fruit, the Lord called thy name [...] [Jer. 11, 16].

David compared himself to it, when he said:

And I, like an olive-tree become green again in the house of God [...] [Ps. 52, 10].

Its supremacy was recognized by all the other trees in virtue of its solemn beauty, continuous verdure and the richness of its fruit [cf. Jdg. 9, 8]. °Ezra understood the Law to have spoken of that same olive-tree and it therefore heads the list of trees from which he ordered branches to be cut.

Nor must it be thought that the booths can be assembled exclusively from the branches of four trees, in the same way as the adversaries make up their *lulab*-set exclusively of citron, palm, myrtle and willow. The Law employed more general words such as beautiful and thickly leaved tree, by which terms other trees may also be understood, *e.g.*, pine and cypress, which are well suited for roofing, and also keep their greenness, qualities desirable in booths. As can be seen, °Ezra made use of other trees, all of which are subsumed under the words of the Law.

By means of these branches the Law probably wished to remind us that those who have faith in the Lord and practise justice will never wilt nor dry up, and branches of such trees are very appropriate to these booths which represent the sovereign and eternal providence of the living God, Who, in the barren and inhospitable desert, supported His creatures who awaited their daily sustenance from His hand. For this reason the righteous are compared to a tree planted alongside the

waters, which is generally verdant, whereas the godless are compared to dry straw:

And he shall be like a tree planted by streams of water, that shall bring forth its fruit in its season, and its leaf shall not fall [...] [Ps. 1, 3].⁴⁴

This then is what the booth decorated with the green branches of evergreens symbolizes, confirming man's confidence in his God.

Nor let the phrase "for yourselves" confuse anybody. When the Law says: "And ye shall take for yourselves," it is using one of those datives common in Hebrew, roughly equivalent to saying: 'And ye shall take'. Similarly:

Take now thy son [...] and get thee into the land of Moriya [...] [Gn. 22, 2]

simply means: 'and as for thee, go' or 'get going'. And:

Get you over the wadi Zered [...] [Dt. 2, 13]

means no more than: 'You, cross over; get across the wadi Zered': and this usage is ubiquitous. With the removal of other stumbling-blocks we shall not detain ourselves, for brevity's sake.

Chapter 11

*On the Examination of Meat Which May be Eaten*⁴⁵

Tradition teaches that if an animal on being slaughtered is found to have certain defects or adhesions it is unfit for food and should be judged unclean, because with these symptoms it would have died within the year — a brief space of time —, sufficient reason to consider the animal as already dead before it was slaughtered.⁴⁶ This tradition is

⁴⁴ Da Costa follows the Ferrara Bible which translates *lo yibbol* "does not fall."

⁴⁵ Not included in 1616.

⁴⁶ Cf. Mishna, Hullin 3.

false, because the Law does not reckon unclean a living, fat, strong and sound animal, nor did it command such an animal to be inspected to see if it suffered from a diseased liver. It is the dead animal that the Law considers unclean. A fine state of affairs indeed, when for such slight ailments one has to throw the meat to the dogs (or little short of that), and to the Law is attributed the placing of obstacles and burdens which it never wanted to impose, and people are provided with new opportunities for guilt: for no man readily throws out his animal.

2. Sacrificial animals were checked only for outward blemishes [cf. Lv. 22, 20-24]; once they were duly slaughtered, their flesh was fit for food (unless they come up with new follies) and since that is the law for consecrated meat, surely profane animals would not be subject to the stringencies of post-mortem examination!

3. Nor does examining the inwards rule out the risk of eating the flesh of a deadly sick animal,⁴⁷ and thus it is a vain solution. (Whether an ox with a liver or lung disease is inevitably going to die within a year, I leave for the doctors to dispute.)

Chapter 12

*On the Error of not Eating Meat With Milk*⁴⁸

A favourite proof of the traditionalists when arguing the indispensability of their Tradition for understanding the Law, is that without it one could not understand from the Law that it is forbidden to eat meat with milk. Thus, in order to vindicate the Tradition, they invent a precept, as is their wont.

The Law says:

Thou shalt not cook the kid in its mother's milk [Ex. 23, 19; 34,26; Dt. 14, 21].

⁴⁷ In as much as not all diseases produce visible symptoms.

⁴⁸ Not included in 1616.

Who is so blind as not to see that it is an illusion or a delusion to derive from these words a prohibition to eat meat with milk? What is being dealt with here is a mother and her young: the Law forbids that the mother be asked for requisites with which to fry or cook her dead offspring for the purpose of subsequently eating it. Nor does it permit that self-same milk used for its sustenance and nutriment to become the instrument of its annihilation. This precept is similar to the one which says not to kill mother and young the same day [cf. Lv. 22, 28] and also to the one which says not to ensnare the mother with the young in the nest [Dt. 22, 6-7]. In much the same spirit it is laid down that the young remain with its mother for eight days and that before then it is not to be taken from her for a sacrifice [cf. Lv. 22, 27]. To kill the mother with her young is an extreme form of cruelty and destruction, "taking scalp and hair" as the saying goes; one has to be ferocious and inhuman to want to cook the young in the milk of its own mother. Thus said Ya'aqob when he feared the encounter with his brother:

[...] lest he come and kill me — mother along with children [Gn. 32, 12].

The Law never intended to forbid one to partake of a slice of cheese after a meat meal: in fact this is what a proper meal should consist of.⁴⁹ Had the Law, where it says that a kid is not to be cooked in its mother's milk, really intended to prohibit the eating of dairy after meat, then another Scripture would be called for because we would have to conclude that the one we have is misleading and poorly written. However, since that is certainly not what we want to say, it would be more fitting to consider the Tradition a falsification, as indeed it is, and any usage based on it, ridiculous superstition; whereas the statutes of the Law retain all their force, from which one may derive excellent teaching, humanity and piety, all of which is not the case with its counterfeit opponent.

⁴⁹ Da Costa's subjectivity creeps in to determine what constitutes a "proper meal": cf. however, Gn. 18, 8.

Chapter 13

*On the Calculation of Months and Festivals*⁵⁰

In their manner of calculating months the Pharisees do not have a foot to stand on, because sometimes they start the month before the conjunction, at other times during the conjunction, and occasionally one or two days later, as anyone can see who regularly consults the lunar calendar. Now, since these methods of calculation cannot all be accurate, and one must be adopted, either in accordance with the conjunction or in accordance with the appearance of the moon, it perforce follows that if one calculation is accurate, the other is erroneous and, consequently, so are the dates of the holy days, which depend on it.

At this point they usually come up with diversions: some concerning testimony that used to be given about sightings of the moon; others about couriers and about fires which were lit to advise those who lived too far away to have known otherwise when the month began.⁵¹ Why waste time on all these contradictory tales, full of improprieties and impossibilities? The creators of these various categories of fables did not want the holy days to fall upon certain days that did not suit their book; and all because of this they modified the manner of counting the moons, sometimes anticipating, at other times prolonging them: this is the simple truth of the matter. Moreover, they themselves confess to this tampering and claim authority from the Law to do something so foreign and opposed to it: inasmuch as the Law marked the months and the days of the months and left nothing to arbitrariness.⁵²

That the appearance of the moon need not be awaited in order to begin the month may be shown by the fact that on occasions when the moon fails to appear due to clouds, the new month will nonetheless

50 This is a remake of da Costa's third objection in 1616, wherein he claimed that "the introduction of additional days of the festivals — eight instead of seven — is an alteration of and a sin against the Torah."

51 Cf. Mishna, Rosh Hashanah 2, 2-4.

52 Da Costa does not cite the verse in the Law which specifies the length of the months; cf. perhaps Nm. 11, 19-20?

begin according to the calculation. Moreover, its non-appearance does not change the fact of its being new, and consequently we should not take into account its actual appearance, but rather the time at which it is new. After all, to calculate the days everyone relies on the solar calendar and even if the sun does not appear the calculation of the days does not await its appearance. It runs its course in the sky, just like the moon. Parts of days are not counted as days, so if, for example, the moon were new at noon today, it is clear that today is not the first day of the month, but tomorrow: that is the correct calculation. In any case, whatever method is employed should be consistent, fixed and invariable. From the diversity of systems for calculating the months proceeds the addition made to the holy days, when two are celebrated instead of one and eight instead of seven, in spite of the prohibition in the Law against adding to or subtracting from its statutes. Thus, when the Law commands to offer a lamb every morning and afternoon, it means one lamb, not two. And if indeed it were a crime that deserved the death penalty to offer incense to the Lord with strange fire that He did not command [cf. Lv. 10, 1], why should it not be considered wicked to change the order and number of His sanctified days? Whatever anyone may say, Selomo did not celebrate the feast of Tabernacles for fourteen days.⁵³ The first seven, at the dedication of the altar, were voluntary; the last seven, of Tabernacles, as was commanded in the Law [2Chr. 7, 8-9]. And even if he had observed Tabernacles for fourteen days (which he did not), a case which might have arisen in peculiar circumstances cannot serve as a paradigm and certainly no law can be derived from it. The truth of the matter is that they, besides doubling the days of the festivals, also wished to modify the lunar months — heaping error upon error.

⁵³ Da Costa is objecting to an erroneous statement made by da Silva in his last chapter. Cf. our note 1 to that chapter.

Chapter 14

*Which Contains Some Examples They Adduce
in Support of Tradition*⁵⁴

We have already said that to justify their Tradition, its inventors adduce examples by which they unwittingly demonstrate its falsehood (oh, what utter blindness!). We will cite just a few examples of their sham exposition. The rest may be judged by those which now follow:

Where the Law says that he who enters another's vineyard may eat while there his fill of grapes, and he who enters a field may pluck ears of corn with his hand [cf. Dt. 23, 25-26], Tradition explains that this applies only to the day-labourer who entered the vineyard or the field in order to work with its owner, because if it were otherwise — so they claim — the poor would be given an unduly free hand and since the Law elsewhere forbids the muzzling of the threshing ox [cf. Dt. 25, 4], by the end of the day there would be nothing left to harvest or to reap.⁵⁵

This explanation is false, ridiculous and an enemy of the poor. It is false, because the Law is speaking of incursions which are made into the vineyards or fields when the owner is absent, and it prohibits those who may enter from taking grapes and sheaves home, under pain of punishment for theft, but it allows the eating of a few bunches⁵⁶ of grapes. Thus the Law favours the owner of the vineyard, but does give some allowance to the passer-by and the poor.

To make the verse refer to reapers is absurd, because that would tantamount to saying that the Law prohibits the reapers from reaping with a sickle, but obliges them to pluck with their hands; and that a grape-gatherer may not take home in a basket a couple of bunches

54 Not included in 1616. This chapter is in part a counter-reply to da Silva's chapter 30 "Containing Some Proofs of Tradition and the Oral Law."

55 Cf. Sifre to Dt. 23, 25-26; B.T. Baba Metsia 87b, 89b.

56 The expression "bunch of grapes" (*cacho de uvas*) which da Costa uses three times consecutively is not scriptural but it may be da Costa's way of quantifying the phrase in Dt. 23, 25: "as many grapes as you wish to satisfy your hunger."

even though the owner be present and sees him taking them. Finally, this explanation pretends that the Law imposes rules on vintagers and reapers.

It is an enemy of poor people and more generally of all humanity, as one can see, for it does not allow one to eat a couple of bunches of grapes without being guilty of larceny and says (quite amusingly) that if permission were given to eat ears of corn in the field, in no time the whole crop would be devoured. So, this is the Tradition, and these are the kind of marvels it discloses.

Here is a second example: The Law says that our ancestors entered Egypt numbering seventy souls, but the individuals listed total only sixty-nine. Here the Tradition supplies the missing soul, in the person of the daughter of Dina begotten of her violator.⁵⁷

This tradition is false and indecent. The seventy souls may be found in the text, provided that Ya^caqob, who is the first one on the list, be included in the count, whereas the inventors would like to see him left out:

And these are the names of the children of Yisra'el that came into Egypt: Ya^caqob and his sons [...] [Gn. 46, 8].

The first one to be counted is Ya^caqob, the head of all. With him we have Scripture's first total of thirty-three, whereas they say that they can find only thirty-two, because they have omitted Ya^caqob. For their argument they claim support from the verse which says:

[...] all the souls of his sons and daughters were thirty and three [Gn. 46, 15].

And since Le'a had but one daughter, the plural form "daughters" had to indicate the existence of at least one granddaughter; which they came up with in the alleged person of his daughter's daughter. The proof is just as weak as the theory itself. It is not strange but quite usual to say of a man who has ten sons and only one daughter, that he has eleven sons and daughters. If, without taking much trouble, they wish to see for themselves, they will find an example of this usage in the same passage. Let them read above where it says Ya^caqob came down to Egypt, and all his seed with him, his daughters and the daughters of

⁵⁷ Cf. *Targum Jonatan* to Gn. 41, 45; *Pirque de R. 'Eli'ezer*, 38. Cf. da Silva's chapter 30.

his sons [Gn. 46, 7]. And yet among all the children of Ya'aqob there was but one daughter [who entered Egypt with him, namely Dina, and one granddaughter]⁵⁸ who entered Egypt with him, namely Serah, daughter of 'Aser, as may be seen in the same chapter.

Third example: it is supposedly impossible to understand as it stands the verse which runs:

[...] let no man go out of his place on the seventh day [Ex. 16, 29].

Some might understand "his place" to be his house, others might say that it means his city. But Tradition explains that "place" means the radius of two thousand ells beyond which one is not allowed to walk on *sabbat*. They are quite right to make the understanding of this verse so difficult, for after all there were jews who had said that a person may not budge on the sabbath from the position in which he finds himself when it begins, and whether he was lying down or seated or standing, that is how he must remain the whole day!⁵⁹

However, this tradition is false and the verse has no need of any such fanciful explanations because it is crystal-clear. The Law does not prohibit a person from leaving his house on *sabbat*, nor does this verse furnish rules as to how many ells he may walk. It is saying that one should not violate the prohibition by going out on the seventh day to gather *man*, something which some of the people had just done, as can be seen from the preceding verse:

And it came to pass on the seventh day that there went out some of the people to gather [...] [Ex. 16, 27].

So the meaning of the verse is clear and obvious and not by the furthest stretch of the imagination does it speak of the distance one may walk on the sabbath, nor does it relate to this subject, nor had the people undertaken a journey concerning which it was necessary to tell them not to walk any further.

As to their claim that one may go no more than a certain number of ells on the sabbath, namely a total of four leagues, if it is true that

⁵⁸ We supply between brackets a number of words which must have dropped out of the Portuguese text due to haplography (*chamada* to *chamada*).

⁵⁹ Another example taken from da Silva's chapter 30, which does not, however, contain a reference to the "statue-people" (= ? certain Karaites). Da Costa's objection is well-taken: cf. our note 9 to da Silva's chapter 30.

performing a journey goes against the day's sanctity, prohibition of work and prescribed rest, then it is a great licence to allow a person to walk even four leagues on *sabbat*, and I do not know how covering so many leagues is a form of recreation.⁶⁰ If the purpose is to allow one to go and enjoy oneself at an estate in the country, four leagues seem a great distance.⁶¹ But this discussion is out of place here, since the Law does not forbid ordinary walking, but forbids going out into the open desert to gather *man*.

Fourth example: it would not be possible to know which words to write on the doorposts of the houses and the gates, had Tradition not taught that they begin with "Hear, Yisra'el" and end with "and on thy gates" [Dt. 6, 4-9].⁶²

In this example the tradition is in like manner false and childish in many parts. The words commanded to be written are the following:

And thou shalt love the Lord thy God with all thy heart and with all thy soul and with all thy might [Dt. 6, 5].

The rest that is added:

And these words shall be [...] [Dt. 6, 6-9]

is to recommend that these same words should be impressed upon our memory and to point out how this should be done, saying that they should be written on our gates. The directions:

And thou shalt write them on the doorposts of thy house and on thy gates [Dt. 6, 9]

are not part of what is to be written on the doorposts. 'What is it that I am supposed to write? — The words that I instruct you this day, namely: "Thou shalt love the Lord thy God".' Besides being false, the tradition is ridiculous in saying that this text is to be put on the portals of kitchens and of all other rooms, because neither the kitchen-door,

⁶⁰ Another example of our author's subjectivity.

⁶¹ Yet another subjective opinion.

⁶² Cf. da Silva's chapter 30, where he overlooks a second passage (Dt. 11, 13-21) contained in the traditional mezuzah. Da Costa simply reproduces da Silva's error.

nor the door of any room other than the door which gives onto the street is included in the commandment:

And thou shalt write them on the doorposts of thy house [...].

The words that follow: "and on thy gates" refer to the gates of the city, which are public, because the Hebrew word *sa'ar* does not denote any and every door. The door of the house has its own designation and is never called *sa'ar*. The Law speaks of portals which lead to the street and of city gates, and it is upon those that it commands the required formula to be inscribed in large, legible and distinct letters;⁶³ it does not command them to be rolled up, wrapped in paper and encased in a tube.

We have submitted samplings enough to give an idea of the arguments our opponents adduce to prove the indispensability of their traditions for the understanding of the Law. It should be quite apparent that our opponents not only fail to elucidate the Law but, what is far worse, they invent, in the process, fables, fantasies, puerilities and inanities, each of which, in turn, spawns greater confusion and dissonance.

We have supplied more than enough instances to prove and confirm the first Proposition that Tradition contradicts the written Law time after time. Were we now to address the counter-arguments of the traditionalists, a big tome would result and a great many more errors would be exposed, to the dismay of any who would rather have them concealed than revealed; who do not desire to know, yea to see the truth; who would rather die in the desert like the old-time rebels, listening to the masses, though they be liars, than enter into the Promised Land, listening to the few who obey God and are truthful. So since it is futile to try to convince them, why tire ourselves out or indeed cause needless pain? Let us rather leave them on their path which they so contentedly follow.

As for us, let us prepare to take and parry the blows of a wicked man who, though unable to cause real hurt, attempts to do so. At this point, for the uninformed reader, the background of the conflict we are alluding to must first be explained.

⁶³ The Talmud (B.T. Menahot 34a) contemplates this possibility quite seriously.

Preface

It is now necessary for us to come to the defence of our own honour and to save it from the teeth of that evil beast whom we mentioned at the beginning of this book. Because he thought it would please the masses and it would gain him their applause, he did not hesitate to bite into our honour and see whether he could pierce it. He reckoned that once the first wound had been inflicted, it would be easier to inflict as many others as he liked. He wrote in the prologue of his treatise that he and those of his band were powerful enough to have us thrown out of a city where we had been living for some years. Certainly this is a most shameful utterance, which could have flowed only from the pen of a man who knows little of honour and whose malice impels him to make use of his natural vileness.

It is customary, as you say, O wild and abominable monster! to banish pestiferous persons from society and accordingly banishment is the proper treatment for knaves of your ilk who want to fill and distend their belly at other peoples' expense; against the likes of you gates should be bolted, allowing no means of entry except you sneak in. But men of my quality never come up against bolted gates; they enter and go out whenever it pleases them, without mask or disguise, because they need fear no one. Now if, instead of expelling knaves, cities would expel good, honourable and honest people, not only would they forfeit the name of bodies politic, but they might be called with more reason dens of thieves, or at any rate, harbourers of thieves. You have become so blinded, poor wretch, that, though you are being trodden upon, laid under tribute and in servitude, you are not conscious of your status; you imagine yourself in possession of powers of which God has stripped you. First you tried to compel me to remain all my life in a place which I hated, which had nothing to offer me, where I lingered on through necessity, which I again and again wanted to quit; yet now you say it was because I refused to go of my own volition that you expelled me! Do you really believe, wretched soul, that you have the power to do so? Will you not understand that no matter how badly you wanted to see me leave, you could not make me and only attained your desire when

I decided to satisfy it by putting my foot in the stirrups? Have you already forgotten how the authorities refused to renew the contract and ordered you to depart the city? need I remind you of the ignominies, affronts and insults which made it impossible for you to go out into the streets? Well, you have no doubt forgotten, because you have no shame; that storm passed and you are awaiting the next one.¹

Further in your prologue you call me a hypocrite, and claim that under the pretense of virtues and modesty I try to ensnare people and to corrupt them. O Silva living in dense, sylvan darkness — dwelling-place of disgusting, venomous snakes and hideous basilisks — treacherous trouble-maker, blind mole who can only annoy and gnaw, what in me have you found that moves you to call me by a name which if it fits anybody, fits you yourself? Whatever my circumstances, I have never been able to dissemble, so that when you say that I ingratiated myself with you for a time by dissembling, you are lying as usual, for I have never said anything in public or in private which was at variance with my beliefs; it was, in fact, my very outspokenness which sparked your associates' desire to open an inquiry into my opinions. You say that at first you did not want to mention me by name in order to spare the honour of my blood. Even had you never named me, I would have identified myself and further honour would have accrued to this same blood, because among its scions is to be found a man of integrity, who freely speaks the truth, steadfastly adheres to it and who so profoundly trusts in God that by this trust alone he weathers all contrary winds and storms.

Later on you say that at the sight of my words good jews should rend their garments as was customary when one heard the holy name of the Lord blasphemed, because I was saying — and this not the worst of my crimes — that all of Yisra'el practises a strange cult and that I want to destroy it, as Gid'on destroyed the altar of Ba'al. If, when

1 When the contract allowing the "Portuguese Nation" of Hamburg to live and practice judaism there came up for renewal in 1617, the Lutheran clergy opposed it. The city fathers, under the latter's pressure, declared themselves willing to renew only the residence provision, not the permission to practice judaism. On these terms the "Portuguese Nation" was unwilling to stay on. Although, as we know the contract was ultimately to be renewed, on April 13 1617 the "Deputies of the Nation" decreed that — were the contract not to be renewed — any jew remaining in Hamburg "on his own" would face *ipso facto* excommunication. The relevant document, discovered by Aron Leoni, will shortly appear in the *Revue des Études Juives*. Cf. our Introduction, note 17.

your² forefathers were worshipping a calf (oh, what turpitude!), it was blasphemy to call them idolaters, then let it be blasphemy now to say to you that you are doing what God disapproves, and to say that by practising a false cult, strange and foreign to what He asks of you, you are breaking and undoing His laws, while deluding yourselves that you are serving Him! O evil one, you so highly rate your own false reputation and that of your friends as to say that to criticize your bad deeds is to blaspheme God! Garments should be rent, and justifiably so, O prevaricator! upon hearing the words you wrote in your scurrilous composition to the effect that human understanding has no limits and can grasp everything that is grasped by God and even the very essence of God; and, elsewhere in the selfsame text, that it can grasp all that is created and not created, as does God Himself, Whose mode of being you would thus limit.

At this let garments be rent indeed, O noxious vermin! For by so exalting a creature that is finite and limited in all its operations, corporeal as well as intellectual, you go far in your foolishness. You raise this finite creature to a position where it would contemplate divine infinity and you wish it to find its way in that incomprehensible, tremendous abyss wherein dwells the divine essence, deeply hidden and far removed from us. It is also said to dwell in a cloud, so impenetrable and unattainable, that at the moment the eyes of one's understanding try to fix upon it, they immediately become veiled by that cloud and however much they want the veil to be removed, it can never again be lifted, thus rendering impossible another, more searching gaze. Let garments also be rent for your saying that it is not forbidden by the Law to consume human blood. Such a declaration, so insulting to His purity and perfection, can only have been uttered by some indecent savage, a cannibal living in the jungle, who is accustomed to such barbarities and who is as gross as you are, you who have such a poor understanding of the Law, as I shall yet show.³ For these sayings of yours, and others far worse which your misshapen mouth incessantly emits, yea for these should garments be rent; but let no one rend his garments when he hears an evil man being called evil; when he hears it said that an idolater worshipped idols; when he hears an unjust,

² Da Costa's use of "your" rather than "our" should perhaps be seen as a rhetorical device.

³ Cf. *infra*, chapter 9.

perverse, superstitious man being told that he has left that straight and narrow path, which must needs be followed.

Forsooth your attacks deserve a different kind of answer. Indeed there was a time when I was ready to let my hands do the talking — hands which I would have you know are capable of bridling you or any other beasts as foulmouthed.⁴ Nevertheless I now submit my neck to the yoke of the divine Law and shall try instead to cure with words the festering wounds inflicted by your evil tongue.

To get back to the story, this man got hold of a couple of quires of ours which deal with man's soul and, with some modifications, he incorporated their contents into a work of his own which also contained his reply. Reader, I beg you whether friend or foe, be a prudent and dispassionate judge. Remember that when a defendant praises himself in the course of counteracting false accusations, he is not boasting, but merely defending himself. Remember that when a defendant taxes his accuser with defects, it is not in order to revel in other people's failings, but to make known the kind of person his accuser is, which is also a defence tactic. Remember finally that vice attains the zenith of ugliness and is most abhorrent when poisonous, lying tongues attempt to soil honourable people. Then great force must be mustered to scour its ugly and repulsive stain. If you will remember all these things, you will not hold me in contempt when I praise myself. You will not say that I am finding fault for the sake of passing censure; you will not call me choleric, just because I show anger; but you will put everything into perspective and you will realize that I am acting in self-defence and that the holiest and best of mortals never tolerated false accusations of crimes and with all their might repelled them. Such was Ya'aqob's attitude when his father-in-law Laban falsely accused him. Mose, accused of wanting to raise himself above others by usurping the leadership, handled his accusers in a well-known manner. Thus, if you should notice that I am violently defending myself from a false accusation, do not be surprised, because my honour is at stake, which I most highly esteem, and I am repelling a vice imputed to me which I intensely loathe, and which could sully my honour. I rely on your discretion.

Before tackling his reply, it is necessary to present what we wrote concerning the soul.

⁴ Da Costa's menacing language, echoed sixteen years later in the *Exemplar*, if taken literally, may indicate that he was capable of perpetrating acts of violence upon those he perceived as betraying him.

Chapter 1

What Constitutes the Soul? Who Engenders It? Is It Mortal or Immortal?

As we are going to deal with the question of whether the soul is mortal or immortal, it is necessary to enquire in the first place just what constitutes the soul, especially since some ignoramuses speak of it as though it were a damsel housed in our bodies, and one even sees paintings depicting souls leaving purgatory.¹ But what we would call the human soul is that vital spirit which animates the individual, and which is contained in the blood. Human beings live, work and move by that spirit, which lasts them until nature or violent means extinguish it. There is no difference between the soul of an animal and the soul of a human being other than that man's soul is rational and the beast's is devoid of reason. As for the rest, as far as being born, living and dying is concerned, man and beast are exactly the same, as Selomo put it [cf. Eccl. 3, 19], and man has no pre-eminence over a beast as regards permanence, for all is vanity. Just as the soul of an animal is contained in its life-blood, as the Law tells us, so too is the human soul, which is vital spirit, also in the blood.

Now that we know what a soul is, let us ask who engenders it and puts it into the body of a human being. We reply that it should be obvious that the human soul is engendered by natural procreation, just as the souls of animals are engendered by other animals of their own species. For instance, an elephant engenders another elephant equally wise; the fox, another fox, just as cunning; the horse, another horse, just as strong, obedient and brave. And a human being, similarly, engenders another human being possessing his own qualities, namely reason and intelligence, the very ones that distinguish him from brutes. About this matter there can be no doubt. Were it not so, procreation

¹ Perhaps our author has in mind the pictorial representations — quite popular in Northern Portugal — of souls suffering in purgatory, called *alminhas*.

of human beings would be imperfect, and at variance with the divine will which decreed that by means of the semen given to all His creatures, they would engender in their own likeness, multiply and be preserved. To man in particular it was said:

And God blessed them, and God said to them: "Be fruitful and multiply and fill the earth" [...] [Gn. 5, 3].

And to show that man engenders a creature in all respects like unto himself, Scripture says:

And 'Adam lived a hundred and thirty years and begat a son in his likeness, after his image [...] [Gn. 5, 3].

Rational 'Adam, lord on earth over the creatures, begat a son in his image and likeness, perfect in all respects, without external intervention in the act of procreation. Selomo says as much, when he declares that humans and animals are born the same way.² This allows of neither doubt nor contradiction: it is confirmed by Reason and the Law.

Those who say that souls are beings separate from the body, which God created all at once and stored in a granary as it were, whence He orders them put into the bellies of pregnant women, do not deserve to be listened to. These follies, dreamt up by some of the vain gentiles and still followed today by the Pharisees, are really unworthy of further discussion.

Others say that these beings are newly created by God in the belly of pregnant women: another extraordinary idea, foreign to reason and the Law. Those who invented this opinion did so because they would not accept that the human soul was mortal. They realized that if the soul were indeed begotten by another human being in the same natural way as the souls of animals are begotten by other animals, then it would have to be mortal. But since this opinion of theirs lacks any support from reason or the Law and is in fact no more than flimsy guesswork, why waste time on examining and refuting its purported foundations?

To the question as to whether the soul of a human being is mortal or immortal we reply that, from the preceding, it seems evident that it must be mortal if it is contained in the blood, as we have already ascertained. It is in fact the vital spirit which dies and is extinguished before the human being can expire; indeed death would not set in if

2 Cf. Eccl. 3, 19, where, however, there is no explicit reference to "birth."

the vital spirit, *i.e.*, the soul, which breathes life into man, had not departed. This obvious and palpable truth is manifest in infinite places in Scripture, which are irrefutable.³

[1.] The first proof is an *argumentum ex silentio*: the Law nowhere indicates that the human soul is immortal or that another life, whether of punishment or glory, awaits it. How inconceivable for the Law not to have mentioned such things! for God is not in the habit of concealing chastisement from man, but rather does He set it before him again and again, that its threat might dissuade him from evil. This can be seen throughout the Law.⁴

2. Further proof — God said to man:

[...] on the day that thou eatest [of the tree], thou shalt surely die [Gn. 2, 17].

Thus man was created mortal, subject to death; otherwise, if his condition had been immortal, the body should have continued to exist, vivified by the spirit that God breathed into it.⁵ God also said unto him:

Dust thou art and to dust shalt thou return [Gn. 3, 19]

whereby He made clear to man his latter end and that — his high rank notwithstanding — his days would be numbered and he would return to his earlier condition.

3. Further proof — the patriarchs did not expect another life, nor did they reckon with its bliss, as can be inferred from their words. For when the Lord announced to 'Abraham that his reward would be great, he replied:

Lord God, what wilt Thou give me, and I go childless [...] and this houseman will be my heir? [Gn. 15, 2-3]

3 When the author says "this obvious and palpable truth," he cannot mean the theory of death in two stages which is non-scriptural. Besides, he later repudiates such a meaning after da Silva had exultantly read it into his words.

4 Here as elsewhere the author dwells disproportionately on punishments while all but ignoring rewards.

5 For the first time a notion enters here of immortality as a divine aspect of the soul, which could not have been undone by God, being divine itself.

as if to say: 'I do not know, Lord, how this great prize is to be paid out to me, for I have no children who can be my heirs.' Now, if 'Abraham had counted on another life, he would have expected the "great reward" to come at that later time, and he would not have exclusively alluded, as he did, to here-and-now blessings. These are the same blessings that Yishaq bestowed upon Ya'aqob, and are also the ones promised by the Law as reward for the righteous. Selomo, contemplating life's tribulations, but not foreseeing another and better one in the hereafter, considered the stillborn more fortunate than all men [cf. Eccl. 4, 3; 6, 3].

4. Further proof — the Psalmist writes:

Wilt Thou perchance perform wonders for the dead? or shall the lifeless arise and thank Thee? Shall Thy kindness perchance be told in the grave, Thy truth in perdition? Shall Thy wonders perchance be acknowledged in the darkness, and Thy righteousness in the land of forgetfulness? [Ps. 88, 11-13].

So, he denies that the dead are able to praise God and to rise for that purpose, for in their dwelling-place there is neither life, nor spirit. The grave is a land of perdition, a land of darkness and forgetfulness; only the living are able to praise God:

The dead do not praise the Lord, nor those that go down into the silence. But as for us {we, the living}, we will bless the Lord [...] [Ps. 115, 17-18]

and for this reason the vanity and misery of such a feeble and short-lived creature are repeatedly put forward as a plea for His mercy and compassion:

Behold, a few hand-breadths hast Thou made my days, and my duration is as nothing before Thee: yea, as nought but vanity doth every man stand here [...] As but a shadow doth man walk about [...] Hear my prayer, O Lord, and my cry; take note of my tears, do not turn away Thine ear; for a stranger am I with Thee, a sojourner like all my fathers. Leave off from me [Thy punishment], that I may recover strength, before I go hence, and am no more [Ps. 39, 6-7; 13-14].

And, in another place:

And He, being merciful, is forgiving of iniquity and does not destroy; yea, many a time He turns His anger away and awakens not all His fury. And He remembered that they are but flesh, a spirit that passeth and returneth not [Ps. 78, 38-39].

And Iyob said:

My days were swifter than a weaver's shuttle and came to an end in the absence of hope [for obtaining more]. O remember that my life is but a wind; my eye will never again see happiness: The eye of him that saw me will behold me no more; Thy eyes upon me and I cease to be. The cloud vanished and passed away; so will he that goeth down to the grave not come up again. He will return no more to his house nor will his place recognize him any more [Job, 7, 6-10].

And further:

I loathed it {with the sick man's aversion for food}; I cannot live forever: leave me alone {scourge me not}, for my days are but nought [Job 7, 16].

The same idea is expressed in chapter 14 and in countless other places [in Job]⁶, as well as throughout the psalms; all of them concurring that man's life is brief and that there is absolutely no expectation of receiving another after this one is over:

For there is hope for the tree: if it be cut down, it may still sprout again, and its young shoot will not cease. If its root become old in the earth, and its trunk die in the dust, through the scent of water will it flourish, and produce boughs as if it were newly planted. But man dies and is powerless and when man departs, where is he? The waters run off from the sea and the river fails and dries up. So man goes to sleep and will not rise; till the heavens be no more they will not awake and will not be roused out of their sleep [Job 14, 7-12].

This is like saying: even if one could imagine the waters of the sea failing one day and torrential rivers drying up, it is still impossible to imagine man returning to life; not as long as the heavens subsist — that is to say: never will he awaken from the deadly sleep that awaits him. It is because this sleep is so deep and so long, that David said to the Lord:

[...] enlighten my eyes, that I may not sleep the sleep of death: lest my enemy say: 'I have overcome him' [...] [Ps. 13, 4-5].

[This is like saying:] 'You see, O Lord, how my enemy ceaselessly pursues me; I might easily fall prey to him. Enlighten my eyes that I

⁶ The Talmud shows awareness of the implications of Job 7,9; cf. B.T. Baba Batra 16a: "Raba said: This shows that Job denied resurrection."

might see where I tread and guard me from him lest I sleep the sleep of death; lest that sleep befall me from which one does not awaken; lest my enemy boast that he has prevailed over me.' From all this it is evident that once he is dead, nothing remains of a man, nor does he ever return to life:

For when the numbered years are passed, then must I travel a path from which there is no return [Job 16, 22].

[This is like saying:] 'The brief numbered days of my life will end and I shall go the way of all flesh along that road which is a one-way street.'

Those who claim that the human soul is immortal often respond to some of our arguments by excluding the body from immortality and establishing certain specious distinctions, which do not withstand examination. Thus they explain God's words: "thou art dust and to dust thou shalt return" [Gn. 3, 19] as being addressed to the body and not to the soul: a comic argument. In reality, God spoke to the human consisting of body and of the spirit of life, and it was to this total human being that He declared and made known that human years are numbered and that dust remains dust, never to be raised, thereby leaving no hope for immortality. This is why 'Adam has never again risen, having slept for so long, nor will he rise as long as the world and the skies above it subsist: that is, for all eternity.

They, however, similarly misinterpret the Scriptural texts which say that the dead cannot praise God [cf. Ps. 115, 17], namely, that they cannot praise Him corporeally. But if that were the case, it would be false to say that the dead do not praise God, because a clean spirit, detached from the body, could praise Him better than one embodied. It would also be useless to present to God, by way of a plea for compassion, the argument concerning the brevity and vanity of man's life, if after death the soul, or spirit, survives to begin a new life — blissful, eternal and undisturbed. But it is precisely because this is not so that any afflicted person may say:

Remember that my eye will not again see happiness [Job 7, 7].

When they get to verses such as:

And He remembered that they are but flesh, a spirit that passeth and will not return [Ps. 78, 39]

they interpret them to mean that the spirit will not return to enter that mortal body, but will return to enter an immortal body. They do not see, however, that if the spirit were to return to such a body, it would be an even fuller return, and then that return could never be designated by the words "will not return." Their absurd distinctions and subterfuges merely serve to avoid facing the overwhelming truth. Indeed, 'Abraham said:

Behold now, I have begun to speak unto the Lord, though I am dust and ashes [Gn. 18, 27].

Now, had 'Abraham's spirit been immortal and destined for an immortal body, then 'Abraham would not be dust and ashes, nor could he truthfully have described himself as such. Rather would he have been an immortal creature, since his spirit was immortal and, as far as the body is concerned, considering its relatively minor importance, he should not have borrowed its name to call himself dust, for things generally take their name from their dominant and most valuable component. The principal part of man is his spirit.⁷ If it is immortal and a being unto itself, then man too is immortal and should not call himself dust, though his body be dust, especially if it is given him only for a limited span. In fact, realizing his transitory and corruptible state, 'Abraham was doubly aware of it when he had to talk to God. Then, more than ever, he humbly acknowledges and confesses his unworthiness.

In the same way are to be understood the words:

[...] thou art dust and to dust thou shalt return [Gn. 3, 19].

These words could not have been used to describe the man of flesh and bones with whom God was speaking if his spirit were immortal, for then he would not become dust. Selomo well realized this when he

⁷ Our author concedes that if humans were one part mortal and one part immortal, then it would be proper to treat of each separately — and so, the distinctions to which he objects are not so specious after all. He grants himself the licence to make such distinctions, when he says "things are called after their most valuable component, etc."

said that man has no pre-eminence over a beast as regards permanence, for all is vanity:

The fate of the sons of men and the fate of the beasts, indeed the same fate befallerh them; as the one dieth, so dieth the other; yea, they have all one kind of spirit; so that the pre-eminence of man above the beast is nought; for all is vanity [Eccl. 3, 19].

The imaginative commentators, to explain away this verse, say that "all is vanity" does not include the soul! ⁸ How does this explanation of theirs fit in with all the rest of the verse, wherein is demonstrated that the human being is in no way more permanent than the beast, that man and beast have the same kind of spirit and that, consequently, all is vanity?

Everything goeth unto one place: everything came from the dust, and everything returneth to the dust. Who knoweth that the spirit of the sons of man ascendeth upward and the spirit of the jument descendeth under the earth? [Eccl. 3, 20-21].

'When all is said and done, I came to the conclusion that there is nothing better for man than to enjoy the work of his hands and that this is his portion; nor does he derive any other profit from his existence':

And so did I perceive that there is nothing better than that a man should rejoice in his own works: for that is his portion [...] [Eccl. 3, 22].

'Man is not granted another life; with the one he now has he must make do. If he wishes it carefully kept, let him fear God and observe His commandments [cf. Eccl. 11, 13]; thus will he enjoy the fruit of his labour'.

⁸ "Even man's excelling the beast is naught, for all is vanity, except only the pure soul which must hereafter give accounting before The glorious throne." Cf. *Book of Prayer According to the Custom of the Spanish and Portuguese Jews* (Edited and Translated by David de Sola Pool), New York, 1977⁷, 8.

Chapter 2

*Containing the Arguments Adduced by Those who Say
that the Human Soul is Immortal and that the Dead will be Revived,
and Our Replies to Them*

Those who proclaim the immortality of the soul and resurrection are like people who want to climb a smooth wall without a ladder. Since there is nothing to grasp, every time they stick out a hand or think they have a foothold, they slip and fall. Their arguments, which now follow, will bear this out.

1. Human beings were created in God's image. God is immortal. Therefore they must also be immortal, or they would not be created in God's image.

2. The creation of man was not similar to that of other animals, for "God breathed into his nostrils the breath of life" [Gn. 2, 7]. Therefore this breath is immortal.

3. God said to 'Adam: "On the day that thou eatest of the tree thou shalt die [cf. Gn. 2, 17]." Had 'Adam not eaten, he would not have died. Therefore he must have been created immortal.

4. Mose said to God: "If Thou wilt not forgive their sin, blot me out from Thy book which Thou hast written" [cf. Ex. 32, 32]. In that book are inscribed those who are granted eternal life and it is those who live in the "land of the living."

5. Semu'el came back to speak to Sa'ul [1Sm. 28, 7-20]. Therefore the dead are aware and speak.

6. 'Eliyahū was carried off to heaven and is alive. 'Elisa^c revived a corpse.

7. In many psalms we read that the wicked will be destroyed from the face of the earth and the righteous will flourish. Therefore there must be another life in store for us, because in the present one the

wicked flourish and the righteous suffer; the wicked are not punished nor are the just rewarded.

8. It is written:

For Thou wilt not abandon my soul to the grave; Thou wilt not suffer Thy pious to see the pit [Ps. 16, 10].

Similarly:

How great is Thy goodness which Thou hast hidden for those that fear Thee [...] [Ps. 31, 20].

9. It is written:

Thy dead shall live [...]

and right after:

[...] the earth shall cast out the departed [Is. 26, 19].

Similarly:

[...] Behold, I open your graves and I will cause you to come up out of your graves, O My people [...] [Ezek. 37, 12].

Similarly:

And I know that my Redeemer liveth and last shall stand on the dust. And after they crush this skin of mine will this be; from my flesh shall I behold God. Whom I shall myself behold and my eyes shall see and not a stranger; my reins grow weak within my bosom [Job 19, 25-27].

Daniyel also prophesied the resurrection of the dead.

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To the first argument, viz. that man could not be described as created in God's image unless he were immortal, we reply that one has to be mad to imagine man to be made in God's image in every respect. Thus, while God is omnipotent, the creature made in His image obviously is not. Otherwise, if we were to consider man to be an image

of God instead of a creature in His image, man would, of necessity, be God! But how can anything created be completely like the Creator Himself? To be simultaneously God and created is impossible. The greatest mystery is that even He, with all His power, could not make another His equal. Man is an image and likeness of God in so far as he is a shadow of His wisdom, but not Wisdom incarnate. On earth he has dominion over other beings and in this respect too he may be likened unto God, but his dominion is not identical with God's. Neither is he an image of God as regards immortality, for that is a divine, not a human attribute:

Are Thy days perchance as the days of humans, Thy years as the days of a man? [Job 10, 5].

Iyob could not have said this if the spirit of man were immortal like God and if man were eternal.

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Argument 2: "The creation of man was not similar to that of other animals, for "God breathed into his nostrils the breath of life" [Gn. 2, 7]. Therefore this breath is immortal."

We reply that the argument is unconvincing and illogical, because it does not follow that the spirit which gave life to 'Adam's soulless body was an immortal one. Rather, the context shows that beasts and man have the same spirit, because at creation God said:

Let the earth bring forth a living soul [...] [Gn. 1, 24]

and at the time of man's creation, having already breathed into him the vital spirit, God said:

[...] and man became a living soul [...] [Gn. 2, 7].

The same phrase ["living soul"] being used in both places and, as Selomo says:

[...] yea, they have all one kind of spirit [...] [Eccl. 3, 19]

it was quite appropriate for God not to have shaped man out of clay together with the brute beasts, as well He might have done, so that rational man, partaker of Divine wisdom, who lords it over them should not be part of their herd. Thus shall he learn from the manner of his creation, to be different from them in his life-style. Further differences — and all for pedagogical purposes — may be found between the creation of man and that of beasts. God created only one of his kind, rather than many, and gave him a wife whom he extracted from him. All these things teach him manners but have nothing to do with being mortal or immortal.

If 'Adam had been alive when God breathed the "spirit of life" into him, we might have concluded that that spirit was separate and distinct from the animal spirit which already animated him. However, 'Adam did not stir before the vital spirit entered him. Therefore the vital spirit which entered 'Adam *was* the animal soul, and that identical animal soul was a rational soul. It all overlaps to such a degree that as soon as the animal soul leaves man, his faculties, known as the rational soul, take leave:¹

I will praise the Lord during my life; I will sing unto my God while I have any being [Ps. 146, 2]

'for after I cease existing, I shall not be able to sing'.

His spirit will depart, he will return to his earth; on that day his thoughts perish [Ps. 146, 4].

On the day of a man's death, all his fair words will end, he will no longer ratiocinate. As the Preacher says:

Whatever thy hand findeth to do, that do with thy might; for there is no work, nor reasoning, nor knowledge, nor wisdom in the nether world whither thou goest [Eccl. 9, 10].

On the day when man dies, everything ends with him. Mortal and finite was the spirit which God gave him: not immortal and infinite; therefore he dies; whereas if it were otherwise he would not die. As Iyob says:

If He were to set his heart upon him, He would gather unto Himself his spirit and his breath. All flesh would die together and man would return unto dust [Job 34, 14-15].

¹ Contrast the formulation of this sentence with the version quoted in da Silva's chapter 17.

Likewise of other animals:

[...] Thou wilt gather up their spirit, they will expire and to their dust will they return [Ps. 104, 29].

When God gathers up and takes away the spirit, then man, a rational animal, just like any non-rational animal, is extinguished and comes to an end. In their campaign against this truth, some declare that one might then just as well be a dog as a man. These people deserve to be painfully stripped of the being which God gave them, since they have so little self-knowledge and self-respect, that they transform themselves from the dog's masters into his equals, just because God did not grant them eternal life — as if it were owing to them. A certain poet put it better in a *romance*:

Mortal did my mother bring me forth
So that I could have died at once
That which Heaven gave thee as a favour
Do not claim it as thy right.

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Argument 3:

"[...] for on the day that thou eatest of the tree thou shalt surely die [cf. Gn. 2, 17].

Had 'Adam not eaten, he would not have died. Therefore he must have been created immortal."

We claim that this argument is invalid. The verse does not mean that were 'Adam to refrain from eating, he would never have to die; it rather means that if 'Adam would not eat, he would be spared that kind of death with which God was threatening him, but would die a natural death when his time came; in other words, he would not die in advance of his time due to his having infringed the precept. Now when the Law says: 'He who commits such and such an action will surely die,' does it mean that if he does not commit that action he will not

have to die? To be sure he has to die, but he will not have to suffer the death which is the penalty for this transgression.² Yehezqel says:

[...] if the sinner turns from his way, as I live, saith the Lord [...] he shall not die [cf. Ezek. 33; 11, 15].

'He will not die by the death with which he was threatened, nor shall I inflict death upon him before he has completed his life-span, nor will I inflict upon him the evil death deserved by sinners'.

Had 'Adam not sinned, God would not have judged him. But judge him He did. And though He did not punish 'Adam straight away with the death penalty and prolonged his life out of considerations of mercy, certain penalties were imposed upon him. But even were we to concede that 'Adam had originally been granted immortality (an hypothesis not confirmed by the frailty of his constitution, which needed replenishment by food and drink) on condition that he obey the commandment laid upon him; at the moment when he transgressed it, he would have lost that immortality and, consequently, died. It must also be remembered that even if conditional immortality had originally been granted 'Adam, it would, of course, have been physical immortality. But he sinned, died and any immortality he might have had was gone. The truth of the matter is, however, that he was created mortal and corruptible.

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Argument 4: "Mose said to God:

[...] blot me out, I pray Thee, from Thy book which Thou hast written [Ex. 32, 32].

In this book are inscribed those who are given eternal life, and it is these who live in the 'land of the living'."

² Da Costa (along with many translators and commentators) attaches no significance to the difference between the formula: *mot tamut* ("thou shalt surely die") of, e.g., Gn. 2, 17 and the common penalty formula *mot yumat* ("he shall be put to death"). This need not, however, weaken his argument, because in Scripture the form *mot tamut* occurs where *mot yumat* (or, in the second person, *mot tumat*) might have been expected. Cf. 1 Sm., 14: 39, 44; 22, 16. Incidentally, the "death" in Gn. 2, 17 is taken even by some ancient commentators to denote degradation, humiliation and punishments less than the ultimate one. Cf. *Bereshit Rabba*, ad loc..

We claim that this all refers to our present life and not to some other one, which does not exist. Thus, Mose asked God to blot him out of His book, to wit, the book in which He inscribes the righteous whom He wishes to reward in this life, by assuring them that they will complete their days in peace and happiness. (We do not believe that God keeps some kind of an agenda, but consider the expression an anthropomorphism to convey the idea that God keeps an account with the world in the matter of reward and punishment.) From this book, then, Mose requested God to blot him out, as if to say: 'Put me to death, cut me off before I complete my span. If I do not secure the pardon of this people, I do not wish to live'. He spoke in the same manner another time:

And if Thou wilt thus deal with me, then slay me, I pray Thee, if I have found favour in Thine eyes, that I may not see my wretchedness [Nm. 11, 15].

'Once before I begged You, O Lord, to slay me, while I earnestly sought the weal of this people, because I did not wish to live to see evil come upon it. Now I beseech You anew, earnestly seeking my own welfare, because if I have to continually face such trials, life has no attraction for me'. Ribqa spoke to Yishaq in the same vein, saying that she was weary to death and that her life was not worth living if Ya'aqob married one of the local women [cf. Gn. 27, 46]. Mose, in asking God to blot him out of the book, certainly did not mean a book in which were inscribed those destined for an eternal and perfectly happy life (if such exists), for, had he meant that, he would be asking to be inscribed, instead, among the enemies of God who are condemned to eternal suffering: an insane and outrageous petition.

"Land of the living" is the name of this world in which we exist here and now; "land of lives," means a land in which there are many lives, because many live in it, and thus it is not the land of a single life. "Land of the dead" and "land of perdition" are names of the grave, as also "pit", "silence", "land of darkness and the shadow of death, where light does not enter", as Iyob depicts it. The "land of lives" is often mentioned in Yehezqel [Ezek. 32, 23-32], and in many places in Psalms:

I will walk before the face of the Lord in the land of lives [Ps. 116, 9].

'The Lord delivered my soul from death and from the hands of those who tried to take it from me. Therefore I shall live and walk before God in the land of lives. Consequently, I shall show my gratitude for

the favours which I recognize as having come from His hand by offering a sacrifice in thanks for my well-being':

The cup of salvation will I lift up, and in the name of the Lord will I make an invocation. I will pay my vows to the Lord [...]. Precious in the eyes of the Lord is the death of his pious ones [Ps. 116, 13-15].

'The Lord does not esteem the life of His righteous ones so little as to be indifferent to their death. Therefore He does not readily deliver them into the hands of the enemy. And I, for this reason, by way of thanksgiving':

[...] will pay my vows unto the Lord, yea, in the presence of all His people [Ps. 116, 14].

Herewith I have shown who are those that are inscribed in God's book, and what the "land of lives" means.

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Argument 5: "Semu'el came back to speak with Sa'ul [1Sm. 28, 7-20]. Therefore the dead are aware and speak."

We reply that Semu'el did not come back to speak to Sa'ul, neither do the dead have any awareness, nor do they speak. That which is written in respect of this coming and speaking in the First Book of Semu'el is in complete contradiction with the teaching of the Law and those passages cited earlier which show that the dead have neither awareness nor the knowledge that belonged to their former selves. Now, since this passage of Scripture gainsays the true doctrine of the Law, it is of necessity apocryphal, like other passages forged and canonized by the Pharisees, but rejected by the Sadducees. As for us, we hold the Law to be our guide and principal foundation and by its light do we judge and separate the false from the true. For example, the Law commands us [Dt. 13, 2-6] not to believe the prophet or dreamer who by means of false miracles or the use of deceptive words wishes to mislead us into worshipping strange, unknown gods. Though it did not teach us how to identify their signs and portents, yet the Law commands us, who would be its faithful adherents, to despise them. However, for recognizing the false prophet who claims to speak in God's name, it does provide a test [Dt. 18, 20-22]. If what he predicts does not come to pass, he is false. Thus forewarned, by taking refuge in the truth

of the Law, we can guard ourselves against malicious people who incessantly invent and rake up mischief. And since it is an innovation to say that the dead speak and arise at the bidding of him who calls them up, a phenomenon foreign to the Law, which, indeed, condemned calling up the dead as pagan and vain, we, who firmly believe in the teaching and truth of the Law, must immediately eliminate and reject that scriptural text, or, rather, fable, which says that Semu'el came to talk to Sa'ul.

Certainly anyone who takes a look at the story will immediately be struck by its unreasonableness. Who, for instance, lent Semu'el that mantle to wrap himself in, or who gave him a body and that white beard, which a few days before had been put under the ground. For when his spirit departed this world to go to its alleged destination, it supposedly went bare, leaving the body behind in the earth. Moreover, Semu'el said that Sa'ul would be with him the next day and thus Sa'ul, from whom God had turned away and become an enemy (as it says), would be assigned the same good place in the hereafter as Semu'el, His favourite.³

It is of course possible, if such deceptions and trickery to fool people and conjure up imaginary bodies do exist (I myself know nothing of such trickery), that this malevolent woman put one over on Sa'ul. However, to think that Semu'el's soul, newly provided with a body and clothing, came to talk to him, is not merely absurd: it is an erroneous, pagan and vain opinion. As is written in Yesa'yahu:

[...] on behalf of the living {inquire} of the dead? [Is. 8, 19]

as if it said: 'The living know more, are worth more, are better off than the dead; what can a dead person do for the living? so why in the world inquire of the dead on behalf of the living?' And, as Selomo says:

[...] for a living dog fareth better than a dead lion. For the living know that they have to die, and the dead know nothing, and have reward no more, yea, their memory is consigned to oblivion. Their love too, also their hatred, also their envy, have already perished; and they will never more have a portion in all that is done under the sun [Eccl. 9, 4-6].

³ The Rabbis of the Talmud inferred as much, when they interpreted Samuel's word *'imi* ("with me": 1Sm. 28, 19) to mean *'imi bimhisati* ("with me in my domain"), i.e., "in paradise." Cf. B.T. Erubin 53b.

The dead person is finished and done for, and no longer takes account of what goes on in the world; so little account, as Iyob says, that the fate of his children is unknown to him:

His children will acquire power, but he will not know of it; and they will become debased, but he will not care about them [Job 14, 21].

Now if that is the fate of the dead man, if his is the sleep from which there is no awakening, then shame on the myth-makers who peddle the dead, trying to persuade us that they appear again and act as advisors to the living.



Argument 6: "'Eliyahu was carried off to heaven and is alive; 'Elisa' revived a corpse."

Even granting that these things are to be understood quite literally, by no means would they support the immortality of the soul; rather it would seem that if God wanted to keep 'Eliyahu alive in order to send him to preach to humanity, it was because if he were dead he could not return to the world, except God created him anew as He created the first man. He therefore extended his life (if it is true), but He did not make him immortal, for after having carried out his mission, he must die. (Were we to consult the Sadducees on this section of Scripture, we would hear them say that this maintaining of 'Eliyahu alive seems hardly necessary, as there is no limit to God's power to commission people of spirit every time He so desires, whom he uses as His messengers.)

In the same way the dead boy whom 'Elisa' resuscitated by stretching himself upon him, putting his mouth to his mouth and his hands on his hands (a neat way to perform miracles and resuscitate the dead! God does not operate in this fashion), has no bearing on the question. This dead boy to whom God (if that is the way it happened) in His mercy gave a new spirit, died once again, and was not resuscitated to eternal life. So in what way does his revivification demonstrate immortality, which is what we are dealing with?⁴

⁴ Our author is apparently not aware of a tradition reported in the Talmud that the boy was not dead. Cf. B.T. Nidda 70b.

And yet there is much more to be said about the truth of these miracles which God never performed at any other time, nor was it His custom to kill people in order to revive them afterwards. In the Second Book of Samuel we read that David's servants expressed surprise at seeing him eat when he heard about the death of his son (he had been fasting until then). He explained:

While the child was yet alive, I fasted and wept, because I said: 'Who knoweth but that the Lord will be gracious to me, and the child will live?' But now he is dead, wherefore should I fast? Can I restore him to life again? I am going to him, but he will not return to me' [2Sm. 12, 22-23].

Another miracle, which surely seems an irrelevant and unnecessary one — and God is not in the habit of performing such superfluous and almost childish miracles — is told of 'Elisa'. He went in the company of the sons of the prophets to cut wood by the Yarden and one of the axe-heads fell into the river. The man who had lost that axe-head, grieved and pained, exclaimed:

Oh, Master! it was a borrowed one [2Kgs. 6,5].

Thereupon 'Elisa' thrust a stick into the water and the iron came up, so that the man who had lost it fished it out and took hold of it: that this axe-head story should be treated as a miracle is almost unbelievable.

One should realize that quite a number of books which the Pharisees try to pass off as genuine are rejected by the Sadducees, who argue against their veracity. I cannot precisely indicate which ones, since I have never been in touch with the Sadducees. However, even without such contact, by the nature of the material, it is quite possible to discover which books, or which parts of them, should be rejected or received. And I dare say that because the Pharisees are so suspect or, rather, so devious in their ways, any part of Scripture that has nothing else going for it than their testimony, should be treated with caution. If, however, its authenticity were further impugned by other Jews, then it deserves no confidence whatsoever. Those who love truth and are desirous of reaching it, should therefore try with all their might to find out what the Sadducees say about the canon of the Pharisees. One should make this effort so as not to have to live with and be fooled by the falsehoods contained in these books. By this means will that true knowledge be achieved, which is presently impeded by reliance on obscure and vain parts of Scripture.



Argument 7: "In many psalms we read that the wicked will be destroyed from the face of the earth and the righteous will flourish. Therefore it is necessary that there be another life, because in this one the wicked flourish and the righteous suffer; the wicked are not punished nor are the just rewarded."

We reply that indeed we read in the Psalms of the destruction of the wicked and the flourishing of the righteous, which is true doctrine, based on the Law itself. We deny, however, the corollary that the wicked are not punished in this life nor the just rewarded, because a saying such as this stands in direct contradiction to the truth and foundation of the Law, which proclaims over and over again: 'do good so that it go well with thee and with your children after thee':

[...] for I the Lord thy God, powerful, jealous, who visits the iniquity of the fathers upon the children, upon the third and upon the fourth of them that hate Me; And who show mercy unto the thousandth, to them that love Me and to those who keep My commandments [Ex. 20, 5-6].

In the present life, then, God requites evil-doing on the head of the perpetrator and on the head of his children and descendants; and he also recompenses the righteous, benefiting his seed practically unto eternity, as He recompensed 'Abraham and 'Abraham's seed, howsoever that seed provoked the divine ire many times and to such an extent, that it merited destruction or at least total repudiation. Nevertheless, being the seed of 'Abraham, God did not withdraw His mercy from it, as He did from other peoples: rather will He remember to restore it to its former glory, as it says respecting its ancestors and the covenant made with them:

Know then that the Eternal thy God, He is God, the faithful God, Who keepeth the covenant and the mercy with those that love Him and those that keep His commandments to the thousandth generation. And that He repayeth those that hate Him to their face, to destroy him; He will not delay to him that hateth Him, He will repay him to his face [...] [Dt. 7, 9-10]⁵.

⁵ Dt. 7, 9 refers to the *lovers* of God in the plural; Dt. 7, 10 refers to the *hater* of God in the singular. Da Costa follows the literalism of Pagnino's Latin and the Ferrara Spanish translations.

'To his face does God repay the wicked. He does not defer his punishment very long'. This is the teaching of the Law; this is the true teaching, in which we believe. But if we often see that the wicked flourish and do not receive their punishment straight away, or in the manner that we would have wanted, we must consider that our vision is too limited to grasp God's ordering of the world and the profound nature of the wisdom with which He governs it. God looks to the heart, sees and knows what each one deserves and in accordance with that He repays him. We, on the other hand, look to the exterior and judge as if we were blind. If God is slow to punish evil, it is because He does not desire to destroy man but rather wants him to repent:

[...] for the iniquity of the Emorites is not full until now [Gn. 15, 16].

However, punishment is sure to overtake the unrepentant:

If he turn not, He will whet His sword; He bendeth His bow and maketh it ready. And for him He prepareth the vessels of death; He will fashion His arrows against the persecutors [Ps. 7, 13-14].

To be sure, when punishment seems long in coming, we assume that the wicked get away with it. Yet we should know that the bliss of the wicked is not assured, but rather, if they persist in their wickedness, their downfall is certain:

I have seen the wicked man rooted and sprouting branches like a green laurel. Yet he passed and lo he was no more; and I sought him but he could not be found [Ps. 37, 35-36].

This we see happening every day. God cuts off many a one who thought life was just beginning. He afflicts with various sicknesses and diseases. He sends hunger and poverty, subjects the high-born to humiliation and brings low prosperous houses so suddenly that one is amazed to see how men and their children whom one knew in better days have come down in the world. This then is what is meant by "the wicked passed", this is what is meant by "seeking him and finding no sign of him." In the same way great kingdoms have passed, which God at one time used as instruments for the chastisement of other peoples, and all of them received their deserts or will as yet receive them, for God lives, sees and judges the world each day, and nothing happens in the world that is not a result of His judgement, though often inscrutable to mankind.

Of the good and the righteous, on the other hand, it is said:

I was young, I am also grown old; yet have I not seen the righteous forsaken, nor their seed seeking for bread [Ps. 37, 25].

So it is in this life that the righteous and the wicked receive their just deserts:

Behold the righteous is recompensed on earth, how much more the wicked and the sinner [Pr. 11, 31].

Let no one be so stupid and mad as to believe otherwise and to draw so foolish a conclusion that is in contradiction with the truth and the essence of the Law. For were he to put it to the test, he would learn that truth from bitter experience, as befell a certain poet, foremost among those of his nation. Having apparently emulated the career of the wicked, thinking that for them there was no retribution, he was ultimately forced to confess:

I have always seen the righteous suffer
Terrible torments in this world
And what is even more astonishing
I have always seen the wicked bathe
In a sea of satisfactions.

Thinking that I would thus attain
The bliss so poorly shared out
I was wicked, but I was punished;
And so it is only in my case
That this world is set in order.⁶

Surely he is a madman who would believe that good invariably befalls the wicked. One day good may befall them, but at the end they will be destroyed. On the other hand, the righteous may one day suffer evil, either because God wishes to test them, or because there is no man so righteous that he does not deserve some punishment. However, at the end they will have peace. Let then man — in whose judgement that which in God's eyes is evil so often seems good — lower somewhat the

⁶ This *décima* by Luís de Camões appeared for the first time in the second edition of his *Rimas* (Lisbon, 1598).

wings of presumption with which he would fain usurp the place of God and make himself judge of all the earth. When he witnesses events whose meaning he does not grasp, let him leave it to God, the righteous judge, who governs the world with wisdom so far superior to that of humans that, exert themselves as they may, they cannot fathom it. As Selomo says:

Then did I see the whole work of God, that a man is not able to find out the work that is done under the sun, in as much as though a man were to toil to seek for it, he would yet not find it: and even if the wise man were to say that he wishes to know, he would not be able to find it [Eccl. 8, 17].

Let man merely be aware that God is judge of the earth, and impartially rewards the righteous and punishes the wicked thereof. So let the one who wonders about the righteous Hebel perishing at the hands of the perfidious Kayin, consider that this death may have been the result of his father's sin and learn to fear God who extends the punishment of the sinner to his children. This last point really deserves a long discourse, but we must now break off and come to an end, for what we have so far demonstrated is more than sufficient to annul the opposing argument, which is spurious and against the true teaching of the Law.



Argument 8: "It is written:

For Thou wilt not leave my soul in the grave; nor wilt Thou suffer Thy righteous one to see the pit [Ps. 16, 10].

Similarly:

Oh how great is Thy goodness which Thou hast hidden for those that fear Thee [...] [Ps. 31, 20]."

We reply that all this is irrelevant. The meaning of the first verse is as follows: 'You will not allow my soul to fall into the hands of my enemies nor that I should go down to the grave through their machinations.' David, rejoicing at having God on his side to protect him, is saying that, sheltered by Him, he sleeps tranquilly, without fear. It does not

mean that after his death God will take his soul out of the grave, because this contradicts what follows:

Thou wilt not allow Thy righteous one to see the pit [Ps. 16, 10].

Nor does it mean that he would never “see the pit”, because everyone ends up “seeing the pit”: no mortal can escape it (as it says elsewhere:

What man shall live and not see death? shall he deliver his soul from the power of the pit? [Ps. 89, 49])

but rather does it [Ps. 16, 10] mean that God would not leave his soul in mortal danger, nor consent that he should go down to the pit through the wicked intrigues of those who were hounding him, as we explained above. David reassures himself in this way elsewhere in the Psalms, too.

As to the second verse:

Oh! How great is Thy goodness that Thou hast hidden for those that fear Thee [...] [Ps. 31, 20]

it is self-explanatory when one takes into account what follows:

[... that] Thou hast wrought for those that trust in Thee before the sons of men.

So we see that it is here below, before the sons of men, that God works this goodness. And just what is this goodness?

Thou wilt conceal them in the secret of Thy presence from the insurrections of man: Thou wilt conceal them in a tent from the strife of tongues [Ps. 31, 21].

As if to say: ‘You shall be my protection and refuge from the persecution of men, their betrayals and wickednesses’. He was giving thanks to the Lord for having shielded him from these evils. These favours are such as take place in the presence of the sons of men here on earth. Favours of another kind we are not going to dream up, and if we should have dreams, dreams they will remain.

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To argument 9, concerning what is written in Yesa‘yahu:

Thy dead shall live [...] [Is. 26, 19]

we reply that the prophet does not speak of the true dead, of those who ended the natural course of life, nor does he say that these would rise. No, the dead of which he speaks are the people of Yisra'el scattered throughout the lands, and reckoned as if they were dead: so dead, that no one believes that they will once again become a people, but rather that they will always remain prostrate, dejected, vile, withered and dried up. That is precisely the way Yehezqel describes them, where he explains that the dry bones are the House of Yisra'el, who say:

[...] Dried are our bones and lost is our hope; we are quite cut off [Ezek. 37, 11].

And, following the same thought, it says:

[...] Behold I will open your graves and I will cause you to come up out of your graves [...] [Ezek. 37, 12].

It does not say that veritable corpses will be pulled out of the graves, but that He would gather the living, who were as good as dead, from all the lands where they had been dispersed — which were like graves as far as they were concerned — and that He would bring them back to the land of Yisra'el. The two prophetic passages are analogous and both are to be understood parabolically, not literally. And to make our point even clearer we shall cite an earlier verse in the same chapter of Yesa'yahu. From start to finish this chapter speaks of the ingathering of Yisra'el and shows how God chastises other peoples differently from the way He chastizes Yisra'el. In respect of the others it says:

The dead will not live, the departed will not rise; therefore hast Thou visited and destroyed them, and made to perish every memorial of them [Is. 26, 14],

meaning to say that the Lord castigates these peoples and changes them to such a degree that they do not return to their erstwhile state. Yisra'el, however, He chastizes in another manner:

Thou hast done more for the nation, O Lord, Thou hast done more for the nation; Thou hast glorified Thyself; which Thou hast extended to the ends of the earth [cf. Is. 26, 15],⁷

⁷ Neither the Hebrew text nor the Ferrara Spanish translation have the words "which" or "to."

which means: 'You have heaped up, O Lord, You have multiplied Your miracles for this people and thus You have glorified Yourself: people whom You had cast away unto the ends of the earth'. In other words, after all the evils have passed, after long periods of hope:

Thy dead shall live [...] [Is. 26, 19].

'Your wounded, Your tormented and Your beaten down, reckoned on earth as if they were dead — will live. The earth will eject them and they will sprout from it as if they were grass'. It is exactly like what we read in the next chapter:

In future generations shall Ya^aqob yet take root; Yisra'el shall bud and blossom [...] [Is. 27, 6].

These similitudes and figurative ways of speaking should be understood with sound common sense, and not, injudiciously, taken at face value.

Then comes the place in Iyob:

And I know that my Redeemer liveth and at last⁸ shall stand on the dust [...] [Job 19, 25].

We reply that the meaning given this verse by many interpreters is very far from the one intended by Iyob, who was simply trying to express his confidence that God would yet raise him from the place where he lay, enfeebled and ulcerated. Once back on his feet he intends to offer sacrifices and praises as had once been his wont:

I know that my Redeemer liveth [...].

'I know that the One in whom I have trust is the living God, who has the power to redeem me, deliver me and raise me up, to remove from me the anguish, tribulations and misery which beset me' (every time God delivers men from evils, tribulations and dangers, He is called God the Redeemer, as for instance when He redeemed the people from Egyptian slavery: this is unquestionably so),

[...] and at last it shall stand on the dust [...]

⁸ Da Costa now translates the Hebrew word *ve-aharon*: *e por derradeiro* ("and at last"), whereas in his earlier citation of this verse he translated it simply *e derradeiro* ("and last").

and that when my anguish will come to an end, my skin, that is to say, my body (the skin may be a synecdoche for the whole body in the book of Iyob) will stand, will walk and will move about:

and after they crush this skin of mine [...] [Job 19, 26]

after the infirmity, sickness and wounds with which I am afflicted

(Thereupon Satan went forth from the presence of the Lord and he smote Iyob with a sore inflammation from the sole of his foot unto the crown of his head [Job 2, 7]),

after the vermin bred in them or which came out of the dust on which I am seated

(My flesh became covered with worms and clods of dust; my skin is torn and become undone [Job 7, 5])

cease mistreating this skin and flesh, then:

[...] from my flesh shall I behold God [Job 19, 26],

then, mended, convalesced and restored to my former strength and soundness, shall I see God. I shall rise early and betake myself to the place where I used to bring Him sacrifices

(and he rose up early in the morning and brought burnt-offerings [Job 1, 5]),

and thus shall I see God:

Whom I shall behold to me {dative used in Hebrew: whom I shall myself behold} [...] and not a stranger [...] [Job 19, 27].

It will not be another in my stead; I myself will do the beholding. Be undeceived, O you friends who persecute, calumniate and insult me — saying that it is because of my wickedness that I am in this parlous state

(these ten times have ye made me ashamed; do ye not blush when ye show yourselves so insensitive to me? [Job 19, 3])

— be undeceived and know that even though I have told you and you see that:

To my skin and to my flesh my bone doth cleave and I escaped with the skin of my teeth {with the skin cleaving to my teeth} [Job 19, 20],

nevertheless I have strong hopes — or rather I know for certain — that I shall see myself raised up from this state and brought back to my former one; I will be on my feet; I shall see my flesh restored and I shall give thanks to God and offer Him new sacrifices’.

All this Iyob was to see fulfilled in himself after God removed His scourge, as we read at the end of the book. He himself went to see God and brought a burnt-offering on behalf of his friends.⁹ Truly, this should be sufficient to disabuse those who fool themselves by interpreting this passage in a manner different from the many others in the same book of Iyob which clearly deny the raising up of the dead, as we have already shown.

Some people misinterpret the expression “at last” to mean “at the last Judgement at the end of the world” — which is all in their imagination — as if it could not simply mean an end, either an end which may be around the corner, or one a few days away, all according to the context. Let us consider, for instance, the following verse:

Who hath fed thee in the wilderness with manna, which thy fathers knew not, in order to afflict thee and in order to prove thee, to do thee good at thy last [Dt. 8, 16].

Here “thy last” means at the end of the 40 years of wandering in the desert before entering the Promised Land. No doubt Iyob was speaking of the last phase and end of his illness, not of the last day of the world, which will never end. This is shown clearly by the final verses of the book:

And the Lord blessed the last of Job more than his beginning, and he had fourteen thousand sheep [...] [Job 42, 12].

This was the “last” of which Iyob was speaking and the one he hoped for.

⁹ Cf. Job 42, 8-9. In the Masoretic text it is the friends who are told to bring a burnt-offering. However, in the Septuagint, it is Job who is told to make the offering on their behalf, which version da Costa evidently follows in this instance.

Moreover, because it says:

[...] and from my flesh shall I behold God [Job 19, 26],

they dream that man really and physically is to see God in heaven, after having been given a new body. But “to see God” means to worship Him in the Temple or in any place devoted to divine service:

[...] and My face shall not be seen in vain [Ex. 23, 15; 34, 20].

‘You shall not come before Me to the place of My dwelling without bringing an offering’. It is in this way that Iyob saw God when, restored to health, he went to bring Him burnt-offerings⁹: the way they interpret this “seeing” is madness.

And now, finally, we must deal with what it says in the book entitled *Daniyel*:

And many of those that sleep in the dust of the earth shall awake, some to everlasting life and some to disgrace, to everlasting contempt [...] [Dan. 12, 2]

and elsewhere:

But thou go to the end and rest and be in thy lot at the end of the days [Dan. 12, 13].

This book of *Daniyel* is rejected by the jews called Sadducees and this fact alone should suffice to deprive a book of its credibility. (As we have said, very little faith can be placed in the unconfirmed testimony of the Pharisees, seeing how these men made it their business — or their madness — to change words, modify, twist and misinterpret Scripture in order to confirm the confused figments of their imagination.) In this case, the book’s content reveals it to be nothing but a product of Pharisaic ideology, contrary to that of the Law. It masquerades as prophecy, the better to fool the people by lending authority to its authors’ false teaching.

The lack of truth of the adduced passages may be demonstrated as follows: the first one says that many will be resuscitated, but not all. Now, if resurrection were intrinsic to the human condition, the whole of humanity would be destined for it; some, albeit, resurrected to enjoy felicity, others to face humiliation — depending on their deserts. Seeing, however, that the Pharisees preach and claim that

resurrection is not universal but only selective and that souls are not all immortal but one yeah and one nay, it becomes clear that the above-cited scriptural passage was fabricated to accommodate their erroneous doctrine.

The same may be seen in the last-cited verse, in as much as it says that Daniyel would enjoy his lot and be in it at the end of days. For the Pharisees teach that when the *masiah* comes, the risen dead will each of them possess his inheritance in the land of Yisra'el. To prove this utter insanity they resort to fabricating scripture.

There are other things in the book of Daniyel which bear a Pharisaic hallmark. Here, for the first time, do we find angels called by names of which previously we had not been informed, either by the Law or by other books. In fact, the whole presentation and style reveals it to be a fabrication. But if one finds it hard to believe that anyone would have dared to produce pseudepigraphic writings, let him ask himself who wrote the book of Judith and invented her story? Who the third and fourth 'Ezra? Who the Book of Wisdom and many others needless to enumerate? In fact we even have to include the book of 'Ester in this list. In short, there is no lack of sham authors, prophets and visionaries: for human malice knows no bounds. Warnings were given us in the Law, intended to make us wary. He who cleaves to its truth will escape all error. Let me just reiterate that the novel teaching found in the book of Daniyel runs contrary to the teaching of the Law and contrary to all books which follow in the Law's footsteps. Therefore we shall not and need not pay it the slightest heed. Having now shown that man is every bit mortal (there was really little need to demonstrate what is so obvious), and that he is not endowed with another life to live, let us examine the difficulties and evils which ensue from the erroneous contrary position.

Chapter 3

Containing the Errors and Evils that Ensue from Believing the Soul to be Immortal

Since one absurdity leads to another and one error gives birth to many, this erroneous opinion or, rather, delusion concerning the immortality of the soul has such numerous offspring that it will not be easy to exhibit them all. The Pharisees who only selectively grant immor-

tality — eternal bliss and also everlasting suffering —, in order not to condemn to damnation too readily, claimed and continue to claim that if, while in the body, a soul commits actions meriting damnation (or omits to perform a commandment), God may send it back to earth and house it in another body and again in a third body, until it has earned (as they say) the bread that it is to eat in heaven.¹ They also invented a place called purgatory where the souls of those who were middling good could purge their faults. From there, withal, God may exile them time and again to the bodies of animals (animals with bachelors' degrees no doubt), and this too for their purgation. It is precisely because a human soul may find itself in a cow that, when it is to be slaughtered, care must be taken to minimize its pain. (That animals should be slaughtered with compassion is proper and righteous, but not for that reason.) If none of these remedies should suffice, and the soul is so wicked that it deserves damnation, God sends it to suffer in the place of eternal torments. That is its final destination and thus is transformed the glory which that soul had once possessed in heaven where it dwelled, as they say, under the Divine throne. What a stupid soul, not to have clung on and to have allowed itself to be cast into this world!

Since the Law is silent on all such matters, one wonders just how these people came by their information, and on what these interpreters of Divine justice base their mystifications which inspire amazement and fear in ordinary folk who listen to them open-mouthed.

Out of the above-mentioned errors others develop in quick succession such as the reciting of prayers and supplications for the dead; the making of offerings to God on their behalf to facilitate their release from the torments of a fictional purgatory; countless silly superstitions practiced at funerals. All these things are very offensive to the true Law and divine worship which neither use nor need such frivolities but rather do reject and abhor them.

Mischief is the inevitable corollary of error, and this unfounded belief in immortality is no exception, in so far as it too has created havoc among its adherents. For in the expectation of greater goods or greater evils in the hereafter, they despise the goods and the evils of this world. Some of them even went so far as to create new orders and rules of life, imposing on their bodies self-mortification, not demanded by the

¹ Belief in metempsychosis was adopted by the kabbalists; its earliest jewish proponents may have been the Karaites. For this belief they were vigorously attacked by Saadia Gaon, who called it lunacy. Cf. *'emunot vede'ot*, 6.

Law and not adopted by its righteous followers. They dwelt in the wilderness, ate badly and dressed worse and, maddest of all, esteemed celibacy a holier and more religious state than that of legitimate matrimony, divinely and naturally instituted. Others stupidly offered their souls to cruel martyrdom. Vainly and without cause these wasteful and foolish people surrendered and discarded that life so highly valued by the ancient patriarchs. Crazy as a result of the false hopes they entertain and the vows which they take without consulting God, they do not know what they are looking for; and, being unappreciative of God's gift to them of the blessings of this life, they hardly merit leave to enjoy them.

No good whatsoever can result from this false opinion. When they say that without the expectation of greater goods or evils in the hereafter, people would not fear God but would all do as they pleased, they are talking nonsense. The dread of the gallows which the thief sees before his eyes exceeds the fear of hell which he cannot see; threatened with punishment which is doubtful or far-off, he simply replies that one has to eat just the same. With here-and-now punishments things are quite different. If someone about to commit murder were to be reminded that murderers are beheaded, surely he would desist. And if he be hardened to the extent that the thought of immediate execution holds no terror for him, the fear of a contingent punishment, from which escape may always seem possible, would be even less of a deterrent. Similarly the divine judgements and chastisements in this world are much more effective than threats concerning a future, unknown life.

A soldier in war, where loss is more certain than gain, serves a lord for a pay so scanty that he can barely live on it. Will a man not better serve his own God, Whom he is obliged to serve, and Who pays munificently a service so easy that it seems hardly any service at all?

And now Yisra'el, what doth the Lord thy God require of thee, but to fear the Lord thy God, to walk in all His ways [...] [Dt. 10, 12].

Ways of righteousness, ways of justice, gentle and easy ways, which those who are not fascinated by torture love and desire; and on which only the perverse and wicked stumble:

How have Thy words become sweet to my palate; more than honey to my mouth [Ps. 119, 103].

For a time I found myself in the same darkness in which I know many to dwell, perplexed and assailed by doubts produced by false

writings and the teachings of monstrous men. Certainty eluded me and out of reach seemed the means to attain that eternal life, which I had been indoctrinated to believe in as the ultimate goal of human existence. That eternal life I then supposed to be a matter of supreme importance — yet one about which I was subsequently to discover that the Law is completely silent. After I set out to scorn and overcome the fear of men — having been impelled by the love of truth and the fear of God in Whom I exclusively put my faith — my fortune took a completely new turn, because God removed from me the doubts that had been afflicting me, putting me firmly on the way of truth. Healthy and wealthy was I² and with Providence watching over me in a way that makes those least inclined to do so acknowledge it in spite of themselves.

So I live contentedly, realizing what my end shall be and cognizant of the conditions of the Law which God enjoined me to observe. I do not get carried away constructing castles in the air any more than I deceive myself with false hopes of dreamt up bliss. Nor do I sadden or perturb myself with the dread and apprehension of awful torments. For the human existence which God granted me and the life he lent me I render thanks, considering that before I existed He owed me nothing, but He chose to make me a human being and not an animal.

In truth, the most distressful and wretched time in my life was when I believed that eternal bliss or misery awaited man and that according to his works he would earn that bliss or that misery. I would surely have rejected without any hesitation that agonizing insecurity and been satisfied to live with the promise of a lesser reward, had I but known at that time of another option. No doubt God allows such opinions to exist for the torment of the conscience of those who forsake Him and His constant truth.

2 The words "healthy and wealthy was I" are our attempt to represent the text's *meus bens e minha saúde foi guardada*, which is an obvious corruption. Da Silva's version supplies after *meus bens*, the words *pullaram e creçeram a vista dos homês* ("everyone could see my worldly goods increasing by leaps and bounds"). Cf. our Introduction, 3.

Chapter 4

*Wherein We Begin to Reply to the First Chapter
of the Adversary*

Taking as his point of departure what we have written up to here concerning the human soul, our adversary proceeds to construct counter-arguments, intending to demonstrate the soul's immortality. In his first chapter-head he promises to discuss the creation and perfections of man. But instead, he immediately begins to rave, soaring upward to the angels and their creation and to the invisible world. Then he attempts to corroborate his fancies by citing various authorities. For the existence of more than one world he draws from Yesa'yahu:

Trust ye in the Lord unto eternity, for in Yah the Lord, fortress of the worlds [Is. 26, 4].

The Hebrew has *‘olamim*, plural of *‘olam*, which means “age, time, era,” but not “world” in the sense of “the face of the earth.” The word for that is *tevel*, not *‘olam*. Thus the verse does not speak of this visible world and even less does it speak of many worlds. It invites men to put their confidence in God, for He is the fortress, the bliss and the healing of all times, ages and generations.

He goes on to say that because this world, here below, could not be maintained, as the Philosopher says, without access to the celestial one — and to establish communication between them was as difficult as to join earth to the heavens — God created man a composite of both, so that he might serve as link and bond between earth and heaven. This amounts to saying that man sustains the world and keeps it going, and that without man it would collapse. Moreover, he separates earth from heaven and of each element he makes a world, whereas the heavens and the earth together make up the world, and this word “world” subsumes the whole creation.

If I had to reply to everything this man says and to expose all his foolishness, reams of paper would be filled. Therefore, skipping over his irrelevancies, I shall comment only on those passages in which he attacks truths which I have demonstrated, for I am not obliged to undertake the drudgery of correcting all his errors.

Chapter 5

Concerns What He Says About the Philosophers' Opinions of the Soul and Re-establishes the Truth

This fine fellow — whose intent is to distort the truth — claims that among the philosophers of the gentiles he found none who declared the rational soul mortal, except Epicurus, a man who allegedly denied all divine providence and allowed himself to be dominated by vice. The truth of the matter is, however, that the most learned of them, hailing from the most civilized nations, have always maintained that the soul is mortal, and deemed the opposite theory either a barbarous day-dream, or a doctrine fed to the masses for ulterior motives.

Pomponius Mela, describing the customs of the peoples of Thrace, says that the Getas were ferocious and very ready to die and that was because of certain opinions they held. For some of them believed that souls would return; some believed that, even though souls did not actually return, they were not extinguished, but passed on to a better existence; others among them believed that souls did in fact cease to exist, but that non-existence was better than existence. These latter were accustomed to weep at births and to celebrate when someone died, while for their widows it was considered honourable to commit suicide upon their husbands' death and so die and be buried with their husbands. The same author, describing superstitions of some tribes in France that practiced human sacrifice, says that the Druids, or wise men of these peoples, claimed knowledge of the heavens and the stars and, installing themselves in pits, secretly taught many things to the most noble among them. One of the things they taught, to boost morale in times of war, was that souls are eternal and that another life awaited those who fell. This shows how the learned historians mocked those barbarous peoples who entertained these errors. It also shows that they perceived the real motive of those self-proclaimed wise men for teaching this doctrine, which has taken hold of so many people and which caused and causes them to commit endless follies. Using the same creed — so Josephus tells us — the Pharisees rallied the masses around them.¹

¹ Cf. Josephus: Ant., 18, 1, 3: "The Pharisees [...] also believed that the souls have an immortal vigour in them and that under the earth there will be rewards or punishments

But why should we tire ourselves with ferreting out the allegations of philosophers who spoke without the benefit of Scripture and why should we make use of what they said, since we have in our close proximity jews and christians who, whether they like it or not, end up admitting that the soul is mortal? Let us begin with the jews. What does a jew really mean when he says that the end of gentiles is death and that only he lives on? ² Is he not implying thereby that the human soul of man is mortal by its very nature? ³ Now let us hear the christian. All followers of the doctrine of Luther, and other christians as well, say that the soul receives its being by means of generative power. ⁴ Having conceded this, they have virtually admitted the soul's mortality. Thus, the christian is really obliged by the evidence of nature and by the force of the divine word to admit something he does not want to. The result is that when christians dispute about the soul, it is all invective and name-calling. What happens in these debates is that those who have realized the implications of the belief in a soul that is generated by the father, and are alarmed by them, pour insults and vilification upon those who proclaim that the soul indeed receives its being through

according as they have lived virtuously or viciously in this life; the latter are to be detained in an everlasting prison but the former shall have power to revive and live again; on account of which doctrine they are able greatly to persuade the body of the people." Clearly in this passage Josephus attributes both beliefs (*i.e.*, immortality of the soul and resurrection) to the Pharisees. Cf. our Introduction, 3.

2 This corresponds to the view attributed to Rabbi Eliezer, B.T. Sanhedrin 105a. However, the Gemara comments that the Mishna (Sanhedrin 10, 2), by singling out the gentile Balaam as one who forfeited afterlife, implies that other gentiles have a share in it. Indeed, R. Eliezer's view is excluded from other Mishnayot that deal with the after-life, *e.g.*, those that tell us that the people of Sodom (Sanhedrin 10, 3) have no share in the world-to-come, implying thereby that these non-Israelites, but for their wickedness, would have been eligible for after-life.

3 Given da Costa's understanding of the phrase "have no share in the world-to-come" to mean "have no after-life whatsoever," it is perhaps a valid inference (cf. previous note). Since the other rabbis did not oppose the view of R. Eliezer on doctrinal grounds, and in other places imply that for the souls of some egregiously wicked there is no after-life whatsoever, they must also have felt that immortality is not in the nature of all Adam's progeny.

4 Luther adhered to the traducian doctrine of Tertullian, *i.e.*, Luther believed that the souls, no less than the bodies of all Adam's descendants, are seminally propagated. Calvin, on the other hand, held with Jerome and Augustine that souls are divinely and continually produced. Thomas Aquinas (*Summa* 1, 118) criticized the traducianists for deriving intellectual principles from seminal souls. Some calvinist theologians went so far as to call traducianism an "atheistical" doctrine. Cf. Don Cameron Allen, *Doubt's Boundless Sea, Skepticism and Faith in the Renaissance*, Baltimore, 1964, 156-157.

generative power. But the latter, for their part, scoff at their opponents' invective. Their conviction is so well founded that there is none who would dare to confront them in a debate which addresses the substance of the issue.

Our adversary says that Sadoq was a malicious and obstinate man who in Judaea, with his abominable band of followers, of whom there is today no longer a trace anywhere in the world, held the same opinion as the Epicureans. These are all empty words, spoken with the intent already alluded to. But anyone who does not hesitate to traduce and to accuse of following the path of evil out of arrogance and (if you please!) jealousy and obstinacy one such as me who am alive and whose activities are well known, will surely not shrink from levelling the same accusations at Sadoq and his group, who are not here to defend themselves. If denying immortality was his sole malice and obstinacy, he must have been one of the most truthful men in the world. The Sadducees, far from being vile and depraved were, as Josephus says, the noblest members of the nation. Nor is their sect extinct, for there are many of them alive today. The whole intent of this evil man is to demean and disparage, for by this means he thinks to improve his case. We, on the other hand, resort to the Law and to truth.

At this point we should like to illustrate the kind of man he is and to show what motivated him to become the champion of the doctrine of the souls' immortality. To do this, we shall recount what we once heard him say in a homily he addressed to a gathering. He set out to give a definition of man, which led up to an analysis of the soul. He said that his authorities defined man well when they said that he is a being that talks, not parrot-like, but using rational speech. When on that occasion he spoke of the soul, he fully recognized that wise men of renown, such as Selomo, had denied its immortality. His speech ended with the very words which here follow:

Whether I be mortal or immortal, "My soul cleaved unto the dust, revive Thou me according to Thy word" [Ps. 119, 25], and the word was: "Let Us create man in Our image and likeness."

Up to here is what he said. At that time his manner of speaking seemed wrong to me, because in matters of such importance one should not leave people in doubt and confused, and if one considers the immortality of the soul to be an axiom of faith, in no way should one allow oneself to raise any doubt concerning it. But it is the custom of people such as he to "throw the stone and hide the hand," as the saying goes.

This then is the man, who now has taken it upon himself to defend immortality, but who as recently as yesterday was publicly declaring that his soul clung to the dust and that it was necessary for God to perform a miracle to change its nature and get it out of there.

Chapter 6

Argues Against the Adversary that Understanding Does Not Provide Immortality

In his fourth chapter the deceitful philosopher claims that since man perceives — and perception is a faculty in no way corporeal — the human soul should be able to carry out this function after separation from the body, and thus remain immortal. To prove this assertion he soars to the heavens, setting off fireworks of foolishness, then plunges to prattle and twaddle and, when it is all over, returns to his starting-point having achieved nothing.

Stop, false philosopher, this barrage of sound and fury on which you waste your time and with which you think you can confuse an uninformed reader! Instead, if you have anything of substance to defend your argument, dare to confront me with it and show your mettle. Let me ask you: how many souls does man have? No doubt you are capable of saying three or four, but if you have any residue of shame left, I shall get you to admit that he has but one. Now, if man has one soul, it either dies completely or completely lives on; it cannot partly die and partly live on. You already admit in your third chapter that the main function of the soul is to vivify. The soul which animates man is motive and sensitive, like that of the brute animals. If that soul dies within him and is extinguished, what other soul is there left to man?

Come now, you wild beast of the jungle and allow yourself to be tamed. Accept, admit and own that man is an animated individual who, only as long as he lives corporeally, has movement, feeling and perception and that these properties do not go on to a separate existence at his death — neither wholly nor partially — but that they are an intrinsic part of the sentient human being. Otherwise you must believe the soul

which you call intellective¹ to be otiose. For if it does not give life to man, what then is its function? Does it perhaps stand idly by in a kind of supervisory capacity, while life is provided by what you call the sensitive soul? Such a belief would in turn imply that man is composed, not of a single soul combining many virtues and properties, but of more than one soul, each distinct and separable from the other. Such implications would of course pose no great obstacle for your party, whose madness is such that it attributes multiple souls to people. One of these souls takes nightly trips around the world, gathering information. Another soul enters the body on the Sabbath day to bring relief. By this time the poor devil is so loaded down with souls that his own soul can hardly be distinguished among the invaders. Oh, if only there were enough shame in the world to restrain such rank folly from exhibiting itself in the market-place!

Let it be realized that the true nature of human intellective capacity is physical. It resides in the heart, of which it is an intrinsic part. Just as a live person cannot see without eyes, so a dead one, being without a heart, can no longer perceive. This is what the Law says:

And the Lord gave you not eyes to see or a heart to perceive until this day [cf. Dt. 29, 3].

And it is from a wise heart that wisdom comes forth; from a base heart, baseness. Pliny spoke well when he said that the mind of man is in his heart, which is served by the other senses and the properties of the rational soul. So that when the part of man which constitutes the intellective capacity falls away, the understanding part of him — an intrinsic part of the animated compound which never existed or acted independently of it — cannot remain. In short: the one cannot exist or act without the other.

The Lord chose to make man a rational creature and put into his heart spirit of rational life. Man dies because the spirit of life is lacking in him. Who does not see that this rational accessory follows the life-spirit and the very thing God caused to enter into him, departs the same way it came? As to the argument that since God perceives without a body, so could the soul of man, it is impossible to respond to such impertinence. I have already stated that the soul of man is never without a body, nor is there any human perception outside of the body. In other words, the human being can do no perceiving without a body.

¹ See end of da Silva's first chapter, where he wrote: "the intellective soul which makes him (*i.e.*, the human being) like the angels."

In his chapter 5 our adversary tries to prove the soul's immortality on the basis of the will's desire to obtain that which the understanding recognizes as good. Among other extravagances not deserving of a reply he claims that the soul seems to be striving for liberation from the body (no doubt that is the case with Carthusian monks and desperadoes). Let us therefore leave him to his insipid and — in great part — false philosophy, and instead address his impudence and obloquy, which proceed from his wickedness.

He says:

O that this wretched and unhappy earthworm would disabuse himself and realize that it is out of sheer arrogance that he denies the advantage God gave him over brutes, out of a desire to separate himself from all Yisra'el. Let him know that he who denies the immortality of the soul comes very close to denying God himself, for he who neither fears nor expects anything from another life has no fear of God [...].

And further on he says:

In short, if the soul comes to an end with the body, long live triumphant Epicurus! — as an ancient moralist said. Then, to the accompaniment of such cheers and jubilation, the day will come when the unhappy life of the one who sank so low as to compare his leprous and filthy soul to the soul of a vixen and to that of a dog, will be extinguished.

As to the ignorance that may be found in me, I make no comment. By saying that it is out of arrogance that I deny the advantage God gave me over brutes, you clearly show the extent of your wickedness and your propensity to make false accusations. Had you said that my arrogance impels me to seek self-deification and to soar to heaven, then your statement might have some credibility and would carry some conviction. But when you say that my arrogance leads me to self-annihilation, nobody can hear you without recognizing your malevolence, for such a species of arrogance is unknown in the world.

No, I do not separate myself from Yisra'el but only from its illegitimate children. Such I do indeed leave to themselves and to you, who are the dregs of Yisra'el. Thereby I in fact draw nearer to Yisra'el.

When you say that he who denies immortality has nothing to expect from God and neither knows nor fears Him, you are revealing your colours as an Epicurean. For it is denying Providence to say that during his lifetime man has nothing to expect from God. You imply that everything that befalls one during one's lifetime is attributable to chance, not recognizing that the blessings and evils of this life are all dispensed by God. Had you recognized this, you could never have said

that during his lifetime a man has nought to expect from God nor any reason to fear Him.² And then, in chapter 11, when it suits your book, you suddenly realize that the Law had no need to mention punishments or rewards in another world, since the expectancy of those of this world — cash fines and premiums as it were —, produce a more than adequate effect. O contrary and evil spirit, truly the leprosy with which God afflicted your body and the loathsome, fetid, scabious itch, by dint of which you eat yourself up and crumble as you walk around the streets, wasted away, without a face, show and make clear to the world the foulness and ugliness of your heart, because God habitually displays on a sinner's body outward signs of his heart's depravity. But on me what signs have you found to permit you to call my soul leprous? You cannot show any on my body, which God in His mercy has vouchsafed me clean and without blemish. And what actions of mine can you point to in justification of your words? It was not I, O treacherous mortifier, who compared my soul to those of vixens and dogs; I know how to recognize the value of the being that God gave me! Whereas you do not, because that soul of yours after it leaves your body — as your sage divines have taught you — will have to enter a dog in order to be purged and penanced. This then explains why you speak of vixens and dogs without compunction.

"If the soul comes to an end with the body, long live triumphant Epicurus! — as an ancient moralist said." Without any doubt this moralist must have been as base as you are (here he once again³ denies divine providence!). If Epicurus can live and triumph to his heart's content, then by all means: "long live triumphant Epicurus!" But if instead of living he could die a most painful death and if — instead of his triumphing — a wild beast, a flood, a plague, a sword or any other affliction which God brings upon humans to punish them for their sins, could triumph over him, why then say Epicurus will live and triumph? Do you know who said the cleverest thing? He who said: "Let no man consider himself fortunate before he is dead." So, while Epicurus may live and triumph today, tomorrow he may be swept away — and where is his triumph then?

² Da Costa is here unjustly ascribing to da Silva a thought he never expressed, by taking his words out of context. At most Da Silva had implied that belief in immortality is an effective intimidator, and if that belief is lost, with it goes a powerful motive for some people's religiosity. Now da Costa has obscured this point.

³ This accusation is hardly fair. Cf. previous note.

Chapter 7

*Replying to the Adversary's Sixth,
Wherein He Denies that God Judges People in This Life*

In his sixth chapter the adversary attempts to bolster his erroneous belief that the righteous are not rewarded in this life. He cites the example of Ya^aqob and ^eEsav, of whom Mal'aki says:

[...] I loved Ya^aqob. And I hated ^eEsav [...] [Mal. 1, 2-3]

but in whose lives he alleges that the respective effects of God's love and of His hatred were not made manifest.

An ungrateful person needs to be both base and blind, because an incapacity to recognize is the beginning of ingratitude. Therefore the Law says:

Will ye thus requite the Lord, O worthless and unwise people [...]?
[Dt. 32, 6]

implying that ingratitude only occurs in people who have such defects and failings. Such must also be the case with the person making this allegation. Although he seems to have good eye-sight, it does not let him see wherein God gave the advantage to Ya^aqob or how it was that He made him greater than ^eEsav.

Really now, you ungrateful beast, is it not sufficient for you to hear God say:

I [...] God of 'Abraham, God of Yishaq and God of Ya^aqob [...] [Ex. 3, 6]

for you to understand that God gave a great advantage to Ya^aqob over ^eEsav and that this title and this honour are worth more than all earthly riches? It so happens that the title and honour were indeed accompanied by a multitude of goods and chattels; and the favours God granted Ya^aqob by consoling and encouraging him and by saving him from imminent dangers were of greater weight and value than all triumphs. We suppose that when Mal'aki speaks of God's love for the one and aversion to the other, he indeed refers to the birthright and the blessing which God took from ^eEsav — to whom they belonged — and passed on to Ya^aqob. But it seems that for this to be fulfilled on

earth to your satisfaction, Esav would have had to be starving and destitute, a mere nobody. You forget that Esav too was Yishaq's son, and his beloved to boot. Nor can we discover any evidence of evil deeds committed by him; far from being covetous, for a mess of pottage he relinquished his birthright to his brother, who had asked him for it.

Let us not imagine ourselves to be the only ones that count, nor believe that only we are entitled to prosper and enjoy a good reputation.¹ Suffice it that we occupy the first place and possess the privilege of primogeniture in the House of the Lord, the Creator of All Beings. However, let us remember that he who receives most, owes most and that he who is closest to the king should be most conscientious and scrupulous in his presence, or run the risk of falling out of favour. Let us realize that God has chosen us to give us a great advantage in honour and wealth over His other creatures, but only on condition that we accomplish deeds worthy of sons of such a Father and servants of such a Lord. If we fail to fulfil the terms, we lose this dignity and high esteem and become the tail instead of the head. Considering that we are now the tail, let us strive to become the head again. And if we want to see that the promises made to Ya'aqob apply to temporal blessings, we need but ask his father and he will tell us:

And Yishaq answered and said unto Esav: "Behold I have made him lord over thee and all his brethren have I given to him for servants; and with bread and must have I strengthened him; and what can I do now for thee, my son?" [Gn. 27, 37].

You further allege that there would have been no point for the patriarchs to seek burial in the Holy Land, had they not believed that burial there guaranteed resurrection. If this is your reasoning, you might have added that they feared the subterranean somersaults by means of which — according to the excellent Sages — bodies outside its borders make their way to the Holy Land, rolling over and over under the earth until they reach their destination. Once there, they are guaranteed resurrection, which can apparently be achieved only in that special climate.² O ye madmen and fools! What lunacies and insanities are you to invent next?

¹ To avoid confusion, the personal pronouns "we" and "us" have been adopted to render da Costa's *tu*, which, if translated literally, would only refer to Da Silva, whereas in fact, in this rhetorical passage, it shifts from the historical patriarch Jacob, through ancient Israel, to the contemporary Jewish community and no longer refers to da Silva.

² Cf. B.T. Ketubot 111a; J.T. Kilayim 9, 4; *Bereshit Rabba*, Vayehi.

The true reason why Ya'eqob ordered his body transported for burial in the cave that he had reserved for himself in the land of Kena'an, was none other than the reason he himself gave. It was to allow him to rest with his forbears in that land that was his and had been promised as an inheritance for his descendants. There he wished his remains to lie as a memorial to be honoured, and not be forgotten in a foreign land (Gn. 47, 29-32). It is customary for kings and nobles, if they die in foreign parts, for their remains to be brought back to the land of their birth to rejoin their ancestors in the family sepulchre. It seems to be a consolation for the dead to lie among their own.³ As a certain philosopher, scandalized by his land of birth, was moved to say:

Ungrateful fatherland, thou shalt not possess my bones. Thou wilt not derive honour from me, nor shall I derive consolation from burial in thee, for thou art a stepmother.

Since we have seen the true reason for Kena'an being preferred to Egypt for burial, it is silly to look here for proof of the immortality of the soul and the resurrection of the dead.

Chapter 8

Replies to Some of the Adversary's Arguments Which are Poorly Founded on Scripture

He continues in Chapter 7 to try and prove his contention by saying that the breath which God breathed into the nostrils of the first human being came directly from God's mouth and is therefore necessarily incorruptible.

If one were to take the anthropomorphisms of Scripture at face value, one would fall into endless traps and say such ridiculous things

³ It would be an unthinkable lapse on da Costa's part if he were here conceding that the dead experience an emotion such as consolation. Therefore we should probably construe his thought as follows: the consolation resides in the anticipatory knowledge of the living concerning the fate of their mortal remains. However, perhaps after all some level of da Costa's consciousness could not dismiss the import of the patriarchal references to a kind of inter-familial fellowship in the grave, e.g., Gn. 15, 15; 47, 30; etc.

as "God has a body and walks about"; "He has a face and hands." But since such language could never have been intended literally, nothing can extenuate the great indecency of perceiving God as breathing and considering the breath which entered the human being to be, as our adversary claims, that of God, insufflated by His own mouth. Even if one concedes that the breath was not produced by a mouth but that it came forth from God's breathing, comparable to the breath which is produced by a human mouth, one is stating an impossibility. For God to carry out a task there is no need for Him to separate it from Himself by some action or exterior movement. His will and the task to be performed coincide and when He wills its execution, it is already done. It is therefore wrong to believe that God breathed or that breath came forth from God. Moreover, if this were the case, the soul would be part of God, by virtue of its consisting of God's breath: an utter absurdity.

What must be understood is that God inspired, *i.e.*, made to enter into the nostrils of the first human being, the spirit of life, the spirit by which man came alive. That spirit or breath is not part of God nor did it come out of Him directly, but rather did God take it from the air, just as He had produced from the earth the body of that same being. With this aerial spirit, joined to the clay of which he was formed, man came into being as a living soul.

This truth is amply confirmed by Scripture:

Thou didst blow with Thy spirit, the sea covered them [...] [Ex. 15, 10].

It was not God who blew, but He made the wind to blow:

[...] the breath of the Lord like a stream of sulphur which was blazing in it [Is. 30, 33].

It was not the breath of the Lord that was fanning this fire, but a strong wind, called "of the Lord," to emphasize its strength.

That this breath was of the nature of air is confirmed by Yehezqel, when he says:

[...] From the four winds come, O spirit, and breathe into these dead, and they will live [Ezek. 37, 9].

This is why Selomo says that man has the same spirit as other animals, for although the animals came out of the ground alive by the will of God, their spirit is of the nature of air and they were formed of the elements, through the divine will. It is precisely because of this

hybrid, yet harmonious, composition that many people define the soul as a mixture of contradictory elements, well balanced and in the right proportions.

Even if it were true (which it is not) that the vital spirit of man proceeded from the divine will immediately, it would not follow that this spirit is immortal; for this to follow it would be necessary to prove that anything created by God — and in whose creation no elemental matter intervened — is immortal. And it would be impossible to establish this proof because the works of God receive their being only in accordance with His will and thus it depends on the conditions of creation and the identity of the created thing whether any one of them has a corruptible or an incorruptible nature. Man is corruptible. When Luther was discussing Creation, he tried to imagine what Aristotle might have felt had anyone told him that man was created out of clay and was also capable of immortality. This is what he wrote: Aristotle would have burst out laughing.

Our adversary cites:

[...] souls I have made [Is. 57, 16]

and:

All souls are Mine; as the soul of the father, so the soul of the son — Mine are they [Ezek. 18, 4].

Similarly:

As for me, in righteousness shall I behold Thy face; I shall be surfeited, when awaking, with Thy likeness [Ps. 17, 5].

Similarly:

Surely God will redeem my soul from the power of the pit when He will take me [Ps. 49, 16].

[Our adversary claims:]

God is called: "God of 'Abraham, God of Yishaq and God of Ya^caqob" and God cannot be called God of non-existence. Scripture says: "And the Lord spake unto Moses face to face as a man speaketh with his friend [...]" [Ex. 33, 11]. Since God is spirit, that to which He communicates Himself must needs be spirit, without any admixture of matter. If Bil^cam had not contemplated the existence of bliss

beyond the grave, he would have had no reason to request for himself the death of the just, and dying the death of the just or of the unjust would have been a matter of indifference to him. In fact it might have suited him better to die — as indeed he did die — from the blow of a sword, than from a sickness, to which sometimes also the righteous fall victim. Anything said to the contrary is false and unworthy of barbarian heathens and we are convinced that he who denies this truth will ultimately deny the Law.

Elsewhere he cites:

When the dust will return to the earth as it was, and the spirit will return unto God who gave it [Eccl. 12, 7].

Concerning the verses in Yesa'yahu and Yehezqel we would comment that the only thing they prove is that God is the Creator and Lord of all and, therefore, will not always be wroth against His creatures. He also knows how to judge father and son, for all belong to Him. If this is the doctrine our clumsy exegete wishes to extract from these verses, of course we go along with him.

Now the verse:

As for me, in righteousness shall I Behold Thy face; [I shall be surfeited, when awaking, with Thy likeness] [Ps. 17, 15]

signifies that the psalmist is preparing to appear in the Temple before God and that the road he will set out upon first thing in the morning will lead him to that same Temple — which is equivalent to saying “the face of God”, as we have already expounded. There he will praise God for His mercy in freeing and saving him from his enemies. In the same way he says he “will be surfeited,” to signify the intense satisfaction which he will derive from this worship, because the cherubs situated on the mercy-seat somehow represented the divine dwelling-place which is hidden from our view.

As to the argument from the verse:

Surely God will redeem my soul [from the power of the pit when He will take me] [Ps. 49, 16]

our reply may be guessed from what we said about similar verses. This can only mean that God saves and redeems the righteous from the traps and mischief of the wicked who conspire to bring them to their death and an early grave. If this verse, however, is saying anything which opposes the manifest truth revealed irrefutably in innumerable places

in the Law and the rest of Scripture, then we would simply classify it with everything else fabricated by the Pharisees in support of their futile fantasies. This psalm, as it happens, is not by David and, like a number of others, was written during the period of the Second Temple, when Pharisaism was already the dominant ideology. But in reality the verse has no other meaning than the one we offered and, consequently, contains no doctrine contrary to the truth, for it says:

God will redeem my soul from the power of the pit.

Now, if, as the immortalists claim, the soul, as soon as it is freed from the body, journeys to God who had given it, then it would not be in the pit and so would not need to be delivered from its power. Or are we to believe that the word "soul" designates here the disfigured and rotting corpse and that the Psalmist expects it to be redeemed from the pit? In that case we would be dealing with a pathetic soul that had lost all its lustre. Moreover, why should immortal souls — capable of enjoying the sight of the Divine Essence (oh, what madness!) — pine for their miserable, impure, disfigured, wasted bodies and desire to be reunited with them? Rather might they consider such a fate a horrible punishment. Who can fail to see that it would be much more proper for a soul who is enjoying God's presence to be bodiless than embodied? Now if the immortalists would grant that the spirit ends with the body, they could still believe that a time would come when God, raising up the body, would, by a new act of creation, give it a new spirit. Even in that case the verse from Psalm 49 could not be interpreted to support such a resurrection or, rather, recreation. When Iyob wistfully says:

Oh who would grant that Thou mightest hide me in the grave, that Thou mightest conceal me until Thy wrath be appeased; that Thou mightest set for me a fixed time and remember me then! [Job 14, 13]

he well realized that there is no such thing and Psalm 49, 16 expresses the same thought.

The argument that God calls Himself God of 'Abraham, Yishaq and Ya'aqob and cannot call Himself God of something which has no existence, is quite amusing. If there had never been an 'Abraham, Yishaq or Ya'aqob, God would not have called Himself their God. But if indeed there were such patriarchs and the selfsame Lord who calls Himself their God had been their God, had accompanied, succoured, defended and delivered them from their enemies, why should it not be possible to say that He was their God? Why should He not make Himself known by that title to their descendants and remind them that He is

the same God who was God, Strength and Shelter to their ancestors and had been worshipped by them?

The other argument, that God spoke to Mose without any intermediary, is just as preposterous as the foregoing one. It would seem that our adversary wishes to strip Mose of his body and make him into a fleshless spirit in order to justify the language of Scripture. However, Mose went in and out with his body, and did not leave it at the portal. The meaning therefore is that God did not speak to Mose in dreams or visions, but that Mose heard from close by a voice that was speaking with him, as he could hear the voice of a human being. This is also what the Lord said to 'Aharon and Miryam when they wanted to be equal to him [cf. Nm. 12, 2-8].

What our opponent has to say about Bil'am, that it would have been a matter of indifference to him, in the absence of an afterlife, whether he died the death of the just or the unjust, whether he died trampled underfoot from the blows of a sword, or in bed, demonstrates the blindness or, rather, the perversity of a wicked and twisted mind that wants at all costs to contradict the truth. Were I now to wish upon him death at the hands of his foes, he would without any doubt call me his greatest foe and exclaim that he would prefer God to kill him in his bed. (Do not get me wrong — I wish no such thing on you; let God kill you in any manner He wills but, if you are not completely out of your mind, request for yourself the death of the righteous, as Bil'am did. As to your remarks about the barbarians and heathens and that I would ultimately deny the Law, you speak more basely and shamelessly than the crassest heathen. As for you, the question is not whether you are about to deny the Law, for you already deny and undo it, substituting lies for its truth. Moreover, you make way for Epicurus to triumph, because you deny divine judgement and providence on earth.) We must still deal with the verse:

And the dust will return to the earth [as it was and the spirit will return unto God who gave it] [Eccl. 12, 7].

To avoid impugning the authenticity of this text, one could interpret it like similar verses in which it says that God gathers up the spirit of animals without implying that after having been gathered up these spirits have any continued existence. Similarly, here it says that the spirit goes, or returns to God, without suggesting that it goes anywhere in particular or takes on any kind of existence after it leaves the body. Besides, in this chapter there are many circumlocutions. For instance, in the verse just cited, "before [...] one dies" or "before [...] the day of

death comes" is expressed this way: "before [...] the dust returns to the earth, etc."

But, to be quite frank, this whole twelfth chapter of Ecclesiastes seems to us an apocryphal addition by the high-faluting divines, who do not express themselves in the language of ordinary mortals. For example, to portray old age, they start out with the following tirade:

Before the sun [...] and the moon and the stars are darkened and the clouds return after the rain. On the day when the watchmen of the house will move and the men of might will bend [...] [Eccl. 12, 2-3]

which goes on and on, too long to quote. They themselves explain it all, solving these enigmas of their own making and thereby demonstrating their great erudition.

This chapter differs notably in style from the rest of the book. We submit that it was added by the Sages to support immortality, which up to that point had been denied repeatedly throughout the book. For example, the above-cited verse contradicts what is said elsewhere in this book about the spirit of man. The forgery becomes even more evident when we look again at:

And the dust will return to the earth as it was and the spirit will return unto God who gave it [Eccl. 12, 7].

The expression seems turned inside out, because the spirit leaves first and only then does the body return to the earth. As it is written:

His spirit will go forth, he shall return to his earth [...] [Ps. 146, 4].

In our opinion, Qohelet 12, 7 alludes to a fable. These men found out that the spirit cannot go at once to heaven, but that it must hover awhile above the earth to be purged.¹ Nor can it leave this world before its former body is changed to earth. And to facilitate this process, burial is sought in soil that has the property and ability to waste and consume bodies quickly. From this they derive that the spirits of the defunct are aware of what is going on in this world as long as they are in the vicinity of the grave, and until they soar upward. Thus the spurious verse contains within itself all these mysteries and prodigies

¹ Cf. J.T. Moed Katan 3, 5; Yebamot 16, 1.

and that is why its language is upside down and inside out and in contradiction with all the rest of Scripture in which we do not find another one remotely like it.

Chapter 9

That the Soul of Man is in the Blood

Having proved the soul's immortality to his own satisfaction, as can be seen in the preceding chapters, our adversary, in his eighth, proceeds to an attempted refutation of the arguments on which we base the soul's mortality. First of all he claims that our definition is unsatisfactory, lacking order and the diagnosis required for true definitions. This pathetic philosopher wants his readers, at all costs, to know that he studied Aristotle. So, suddenly, apropos of nothing, he announces that a dialectic definition requires order and diagnosis. But the dastard fails to see that it was not at all our intention to make dialectic definitions which are dependent on a specialized jargon, because we are not speaking to dialecticians. Rather do we want to explain and make clear just what is meant by "soul" to people for whom definitions such as Aristotle's would be incomprehensible. Were we to say to these people that Aristotle defined the soul as a "sensitive and movable substance" or a "form of a natural body which lives," they would require an explanation of what is meant by "substance" or "form" and a detailed breakdown of these definitions into their component parts. Then, instead of showing and proving our point by the Law and common sense, we should get sidetracked into fruitless explanations of the vocabulary of logic, so inopportune and alien to the matter at hand.

Further on in his chapter he accuses us of having said that according to the Law the soul of an animal consists of its spiritualized blood. He claims that the Law spoke metaphorically, because the soul is an incorporeal, indivisible substance, the source and principle of life, whereas the blood, on the other hand, is corruptible and divisible, so far from being a soul or even a derivative of the soul, that it does not possess any life nor is it any intrinsic part of an animal. Such vile and

lowly material could therefore hardly be the soul. Wherefore one cannot suffer (he says):

an ignoramus who, unaware of the a.b.c. of philosophy, dares to propose definitions of souls. His ignorance is in fact so great and so crass that he completely misunderstands the words of the Law concerning the soul of brute animals and applies them literally to the soul of man, without any other support than his own opinion, not realizing that the consumption of human blood is not forbidden by the Law.

I do not doubt that if people of discretion were to examine his words they would advise me not to bother replying to them. However, since he touches on problems of general interest, it would not be right to leave them completely unanswered. That an animal's blood is its soul is not only upheld by the Law; it is an opinion well-known to the philosophers of antiquity. One of them, Cricias, in order to show and confirm that the soul is blood, argued that the parts of an animal which have no blood, such as teeth, nails and hair, have no feeling, whence it follows that the sensitivity of the soul derives from the blood. The objection was made that the nerves, which convey sensation, have no blood and that insects such as wasps and bees have no blood either but are nevertheless possessed of a sensitive soul. To this the Church Father Origen replied (*Book of Principles*, 2, 8 — later condemned by the Church) that, though indeed without blood, these insects have an aqueous humour of the nature of blood and that the question as to whether or not this humour has the colour of blood is irrelevant, since it functions the same way as does blood in other animals. Thus Origen confirms the opinion of the Law on this matter and quotes from it. Moreover, the greatest Latin poet wittily described someone dying, by the words: "he expelled the red soul." So, his saying that the Law spoke in metaphors and that there is no equivalence between the blood and the soul, shows up our adversary as a wrester and distorter of Scripture, who takes literally the metaphorical and allegorical passages, figuratively those which are clear and obvious in meaning. Still not content he shamelessly addresses to us the following words:

Why tire ourselves out explaining the metaphoric nature of one passage to a person who so obstinately takes all literally? Let him believe and say man is a trunk with branches and roots, since the Law says man is a tree of the field.

O base, false and wicked fellow, fastened and begirded with straps! Convinced that you know the true meaning of the Law, you believe that

it orders you to strap yourself up this way, or to brandish and flourish a sheaf of branches before God and perform other activities of this sort. So is it I who am taking the Law too literally and am indiscriminately embracing its words? Am I not rather the one who researches and digs out its true meaning? Unfortunately for you, your sins caused you to come up with a ridiculously literal interpretation which only demonstrates your baseness and wickedness. The Law never actually said that man is a tree of the field. It asks a rhetorical question which you transform into a statement!

Our adversary defines the soul of animals as an incorporeal, indivisible substance. While it is true that Aristotle and other philosophers who posited that any soul is incorporeal, considered and had in mind an incorporeal entity which they called "soul," they nevertheless affirmed that it could not exist without a body. The very word "soul" implies an animated body; a bodiless soul is an impossibility. For our present purpose there is no need to delve more deeply into this matter. We would just like to return to our adversary's chapter 4, where he says that if the soul had anything corporeal about it, in view of its being joined to the body "it would follow that two bodies would be in one place simultaneously, an absurd and unacceptable concept." We reply that the soul has its place in the body together with its other constituent parts, such as nerves, flesh and bones. All these, though corporeal and simultaneously present, are neither incompatible nor totally interpenetrative, but unite and join to compose a body. The soul has its place, first of all in the heart — which is called the source and principle of life, because from it emerge the veins and arteries, which may be called the vessels and receptacles of the life-spirit which is mixed and united with the blood. When the blood is distributed throughout the body, the result is not "two bodies simultaneously in one place", but one body, consisting of flesh and blood. As we said, the soul is the vital spirit in the blood. Let him decide now whether this spirit in the blood should be called "corporeal substance," "incorporeal substance" or whatever other name. How careless of him to remark so offhandedly that "souls" (presumably including those of animals) are an incorporeal substance. Whoever hears him will think that the souls of cows, being incorporeal substances, can exist outside of the body.

I refrain from citing the various classifications of the soul's "being" offered by the philosophers, for each assigns it a "being" in accordance with his understanding of first principles. Those who argue that elemental fire is the first principle, posit that the soul's "being" is of the same nature as fire. Others, who argue that air, or water, or all four elements constitute the first principle, define the soul's "being" accor-

dingly. These and other opinions are a matter for philosophical discourse which is not to our purpose here.

Our adversary further states that "such vile and lowly matter" as blood could hardly be the soul. O fake philosopher! Without having studied much Aristotle but solely with the help of the rational philosophy which God taught me, I can demonstrate your obtuseness even in your own professional field. You who deny the truth, treacherous dissembler that you are, answer me this: whereof consists the matter with which we procreate? Is it not a blood-like aqueous humour, the product of food scraps, processed by nature? Now if the souls of animals (leaving human beings aside for the nonce) are generated from this humour, what is your great objection to any sanguineous humour whatsoever being the soul, which sustains, animates and keeps afoot the animals procreated in this way? Your Aristotle says that procreation takes place by and with heat, that animation comes into being thanks to heat and that life is nought but the duration of this heat which, unless refreshed by the air, is wasted, for the raw materials of life are humour and heat. If we are animated and nourished by blood; if before we come into being, the blood is there¹ and, once we have come into being, we live thanks to it; that, without it, there is neither life, nor being: how can you then slander blood by calling it a "vile and lowly matter, which neither lives nor is part of the body"? The vital blood is life itself and, if the heart may be called the source and principle of life, it is because from it the blood flows and is distributed throughout the body. The heart, in turn, fountain of life, functions thanks to that same blood; when the blood no longer enters it, the heart ceases to be a fountain, because a fountain is only called thus as long as it contains liquid which flows from it. No doubt hands and feet are intrinsic parts of the body, as you say (why speak in Latin² to people who do not understand), yet we can live without hands or feet, but we cannot live without blood. That which is indispensable to life must be of higher value. One who cuts off another's hand, pays with a hand, and no more; but from him who has taken another's

¹ We do not understand the transition from a premise which recognizes humour and heat as the only raw materials of life, to an assumption that blood is also one of them. If da Costa in his mind equated what he calls "blood-like humour" with human blood, he seems to have left the establishment of that equivalence unstated.

² "Speaking in Latin" may perhaps mean speaking above the head of one's readers.

life, they require all his blood.³ How then do you justify belittling the blood?

Well, that is the way you are. Now, seeing that you are that way and that you make so many errors in your philosophical exposition, how dare you call me unlearned in philosophy and assert that I have a nerve to define souls without your permission? Will you not believe, O wicked spirit!, that I am not totally destitute of philosophical knowledge and that I do know what definitions are even though I never taught logic or philosophy? This knowledge I needed for what I professed — and, for your information, I study Aristotle too! Indeed, if you would like to consult lecture notes of your university courses better than the ones you took down in class, you will find them in my possession.⁴

The next step — since this captious opponent forces us to prove something so evident — is to show that when the Law says that the soul of the meat is in the blood, this also holds true for the soul of human beings.

[1.] It can be proven by the following words in Genesis (9, 4-5):

Only the flesh with its soul, its blood shall ye not eat. Verily, your blood will I require from your souls: at the hand of every beast will I require it; and at the hand of man, at the hand of a man's brother, will I require the soul of man.

It is clear from this text that the Law considers blood to be the soul of the animal as well as the soul of man. I could go on demonstrating this from many other passages, but I hardly need to bring more evidence in support of such an obvious proposition and one text will suffice.

2. It may also be demonstrated by reason. For just as an animal dies through loss of blood, so does man. If his soul did not consist in the blood, as does the soul of the brute, man would not die from a lack of blood, but would continue to live by means of that other substance which animated him.

³ Here again the argument seems to defy reason. The moral and legal difference between homicide and maiming is not whether or not blood-letting is involved; cutting off a hand must surely entail the loss of blood; killing (*e.g.*, by suffocation) can be effected without it.

⁴ This remark tends to confirm that da Costa and da Silva both attended Coimbra university, one studying medicine and the other reading Canon Law.

Let us now examine the last — but not least — of this perverse man's follies, where he accuses us of ignorance for not knowing, what he knows, namely, that human blood is not forbidden by the Law. Since he forces us to do so, we shall point out his impiety and grossness:

1. Natural law teaches that one person's blood is not proper food for another person and, consequently, its consumption is forbidden. The divine Law neither legislated against nor abrogated natural law. Therefore anything forbidden by natural law remains forbidden by the divine Law.

2. The divine Law allowed human beings to eat the flesh of animals, forbidding them, however, the blood. It did not permit them the flesh, and even less so the blood, of another human being. That which it did not permit him is forbidden him: consequently, it forbids him both the flesh and the blood of another human being.

3. The divine Law states that the blood of the man killed by a beast and by the hand of another man will be avenged and thereby forbids its spilling. If Scripture, which does not forbid the slaughter of animals, nevertheless prohibits the consumption of their blood, then it surely does not mean us to eat the blood of humans, whose killing it forbids.⁵

4. Since the flesh of the animal which does not chew the cud and has no split hoof is forbidden by the Law, much more so is its blood. Man neither ruminates nor has a hoof. Therefore, the flesh of man is prohibited by Law and *a fortiori* his blood.⁶ Beyond this point the pen cannot proceed. Fetch bridles and bits to gag such wicked and unrestrained mouths.

What remains certain is that the human heart and, consequently, the human being is animated by blood. If it is wanting, the soul comes to an end. This is confirmed by colloquial speech, because we call a man who lacks blood disheartened or dispirited, and when someone is approaching death and his feet and limbs start to get cold, we say that there is no more soul in them, because their blood and concomi-

⁵ For the sake of clarity, we have expanded Da Costa's *a fortiori argument*, which he expounds in just six Portuguese words.

⁶ By classifying humans with cattle, da Costa conveniently avoids the fact that the Law permits for consumption many hoofless animals which do not ruminate (e.g., certain birds and fishes).

tant heat have gone. Thus, everything points to the body's being animated by blood. The verse quoted by our opponent:

One may not take in pledge the nether millstone or the upper millstone, for one would take the soul in pledge [Dt. 24, 6]

is more to our purpose. It says that this action is equivalent to taking the soul in pledge because the bread earned by means of the millstones is converted into blood, which is the real and true soul, as I have expounded more than once.

The rest of what he says, about man walking erect and similar irrelevancies, are all bunkum, not deserving of reply. We would merely point out to him that he misunderstands and misapplies the verse:

A lamp of the Lord is the soul of Man [...] [Pr. 20, 27].

It simply means that man should direct his behaviour, using the light of his God-given reason. The Law serves the same purpose, as it is written:

For the commandment is a lamp and the Law is light [...] [Pr. 6, 23].

What has all this, which only shows man's intrinsic rationality, to do with immortality?

Chapter 10

Man Engenders in His Likeness

The enemy says in his ninth chapter:

One absurdity leads to another. We now see that this unlettered opponent, starting out from a false proposition which he believes to be true — to wit, that the soul of man is like the soul of an animal — now comes up with another error, saying that brutes and human beings are alike and equal as regards the act of procreation and that the souls of men, like the souls of animals, issue from matter.

I am not surprised that one who is without shame and lies brazenly about weighty matters, should be equally impudent in matters of lesser consequence. I was born and bred in letters, and one could almost say that from my mother's breast I passed to their study, and by the age of eight I was doing Latin grammar. They were so suited to me and came so naturally that I robbed time from everything else to devote to them. Thus I spent my youth in various studies and although my vocation was the study of law, curiosity impelled me to find out what theologians had to say and to examine their writings. Whether my mind was suited to theological research is not for me to say. Rather shall I await the judgement of others who worked with me and know me. But what I should like to know is how far this pathetic and dull-witted nincompoop — a disgrace to the medical profession — will carry his malice and shameless insolence. Where does he get the nerve for such audacity? How dare he call "unlettered" one who could teach him Galen whose pages he turns without understanding, being so poorly trained?

Now let us come to the main point: man engenders another being, in his likeness, perfect in every way. This is a conclusion whose veracity is so well supported by reason and the Law, that even were he a christian of the lutheran persuasion for whom immortality of the soul is an article of faith, he would be unable to refute it. He does well to point out that it would be contrary to divine justice were a clean and pure essence to be encased in a filthy, sinning body. Another thing he could have said is that God did not breathe life-spirit into the woman He fashioned out of man's rib, because the rib of living, animated man was not in need of a new soul. In fact my evil opponent probably subscribes to this view, though not consciously, and he would certainly never admit to holding it.

He says that all philosophers and doctors recognize that from the seminal qualities of man issues the sensitive motive soul which man shares with animals and that consequently man is not inferior to animals in his generative potential, for from his seed a soul of the same quality issues as from the seed of brutes, only in a more perfect form. So we now have it from his mouth that the soul by which a human being lives, feels and moves is engendered by another human being. So far, so good. But then he goes on to say that an intellective soul arrives from outside and enters the human body. Now, if the human being lived, felt and moved before this additional soul came upon the scene, the latter's function cannot be to activate life, feeling and movement, because all this had already been effected. The only function left, then, for this soul is to speak within the human being, seeing that it has no traffic with the body, and that it is not harnessed to the body, in order to provide

it with animation, because that function had already been provided by another soul. At this point I must remind my adversary of his third chapter where, in the course of his refutation of Plato's opinion, he asserted that the principal function of the soul is to quicken the body and that a soul which does not perform this function, would have nothing to do other than to speak within the human body as spirits were believed to squeak inside idols. So, according to him, the rational soul which enters an already living and animated body, since it does not enter to vivify it, enters it, presumably, merely to prattle.

In the face of this you have only two choices. Either you recant and adopt Plato's opinion or you concede that no new soul enters the human being, and that perceiving is a property not separated from matter but rather an emanation from matter, just like seeing, hearing, remembering and other functions of the sensitive soul. My adversary seems unaware that he is contradicting himself, and unable to make up his mind — since falsehood fails him — he cuts off his nose to spite his face.

I should also like to ask him the following question: suppose the rational soul happens to stop along the way, digs a hole, gets stuck in a sylvan grove of his sort and forgets to complete its journey, so that the human being for whom it was destined remains with no more than the sensitive soul, lacking the rational one. What kind of animal would such a creature turn out to be? Would it chatter like a magpie, course hares like a greyhound or, like Nebukadnesar of yore, eat grass in the field among the beasts? But in reality, is it not patent madness to say that man does not engender fully in his likeness?

To our proof-text, where Scripture says that 'Adam engendered Set in his own likeness, he replies that this refers, not to the soul, but to the qualities and virtues which were not found in the first two sons. Thus, to justify his error, he compounds it by condemning Hebel, whose offering, Scripture tells us, was acceptable to the Lord: a sure sign of Hebel's righteousness.

In chapter 10, on the subject of our censuring those who say that God created the souls all at once as well as those who say that He creates them each day anew and infuses them into bodies, he writes the following:

I do not know if any legislator has spoken more insolently and boldly than this reviver of the base and long dead and buried sect of Epicurus. The matter at hand is so weighty or, should we say, so trifling in his eyes, that he did not bother nor did it occur to him to cite the Law or adduce rational arguments. Nor could he have found any to justify his statement that some of us "dream up follies" or "have weak and flimsy notions" about the way souls enter bodies — one of the great wonders

performed by God. Now whether He created them at one time *en masse* and stored them up in the world of the souls, or whether He goes on creating them one by one, is immaterial to our theory, and anyway, why should it be more difficult for God to create souls in one way than in another?.

For sure, even a horse, if horses could speak, would do better! And now this malicious individual manifests to the whole world his lack of steadfastness, constancy or faith in the opinion which he follows. While the tradition which he and his cohorts claim to have received directly from God teaches that God created all souls at the beginning and sends them into bodies as and when needed, he now claims that how souls are implanted in bodies is hidden from us and whether it be done in one way or in another way, is immaterial.

So to what tradition or to what faith do you really belong, you base and wicked fellow? Either you are not sure of what you believe, or you are ashamed to uphold and defend what it stands for. One moment you speak like a Pharisee, the next like a christian and you do not even defend your own, nor do you approve of the christian's. You are like a crane with one foot in the air, or like a singer who tries to sing in two choruses, and ends up by singing in neither, and your indecision is never resolved. So by not deciding, you are already denying your faith and showing that you do not have one. If a Roman catholic would be asked about this business of souls, he would promptly reply that God creates them from scratch and infuses them into bodies, producing a new creation at each birth. If asked for proofs, he replies that it is an article of faith which his religion requires him to believe.

You say that I did not dare nor did it occur to me to cite the Law or to adduce rational arguments in support of what I said. Once again you demonstrate your lack of knowledge and your baseness. You who propose that souls were created *en masse* (actually I have lost track of what you are proposing and I wonder whether you quite know yourself), are the one who needs to prove your theory by Law or by rational arguments. But, unable to furnish proofs either from the Law or from reason, all you can offer are those of a treacherous prevaricator, more worthy of derision than of consideration. Only a confirmed scribbler, which I am not, would devote his time and his words to reply to such trifles. So let me refer you to the *Conimbricences* (volume 2, question 1 on the first book of Aristotle's *Posteriores*, article 2) and to Aristotle's own words cited there. Since you are an Aristotelian philosopher, why do I not spare myself the trouble of further writing and simply send you back to your teacher? For others, who have no

access to these works, I shall give but one argument to show the weakness of your position.

If you grant that this world will never end, then you must recognize that procreation will never cease. (Were you to insist that the world will come to an end..., — you would first have to get authorization to hold such a view from other Pharisees, your brethren, who believe in a world without end).¹ Now supposing souls all to have been created at the same time, their number must have been finite, since such a creation could not have been infinite. The generations, on the other hand, being infinite, sooner or later souls will run out, and then from human seed will spring imperfect, soulless bodies. You may invoke metempsychosis and say that these souls, to break their boredom, go body-hopping, so that all bodies will, after all, be provided for. But as I understand it this type of entertainment is not everlasting; for since you believe that the soul cannot be recycled more than twice, it comes to an end after the third body. So, if the world is eternal, we end up with the same objection, namely that the stock of souls will ultimately be depleted, for a finite supply can never keep up with an infinite demand.

So, seeing the weakness of this line of argument, you switch to the opinion of a Roman catholic and say God continuously creates souls from scratch — including of course the dismal little souls created for the infidel, the savage and the cannibal (O wretched souls, to have come down from so high to such misery!). For support of this fantasy you would no doubt refer me to the letter Leon I wrote to Turibius, Bishop of Asturias, and to the Council of Braga, but I must remind you that I am not a christian, so please address me as a son of 'Abraham, Yishaq and Ya'eqob — not an illegitimate, but a legitimate one.

But if you have come to the realization that both the Pharisees, whose beliefs you profess, and the Roman catholics, whose beliefs you do not profess, have failed you, and you now attribute everything to the power and the wisdom of the Lord, then I say to you: Come to your senses, perfidious, evil, misguided one! Abandon the difficult, stony, circuitous byways and get back onto the easy, clean and safe highway. Repeat — without fear of that erring world which you look up to — the words which the Law and reason teach you and oblige you to recite:

And God blessed them and God said unto them: "Be fruitful and multiply" [...] [Gn. 1, 28].

¹ The reference is probably to the *Guide of the Perplexed*, 2, 27, where Maimonides argues that the world is eternal.

Do not make out God's work to be incomplete and imperfect. It seems extraordinary to you that from matter such as human seed should emerge a perfectly wrought creature. Then you say that the best philosophers (you poor wretched philosopher!) turned from the contemplation of this achievement to wonderment and admiration. Why do you, then, not act likewise and by these same steps come to recognize something of the great power and wisdom of the Master Workman who has the ability and knowledge to perform such works. Do not attempt to limit that power by saying that God cannot produce a rational creature out of seed and that reason has to be brought in from outside by bucket-conveyor. The Master Workman produced a great diversity of animals, giving each one a different natural instinct, and to some such superiority that many believe them to be endowed with reason. Indeed all agree that their instinct, by means of the interior senses, approximates human reason and, sometimes, prudence, even though they do not express them in rational discourse. All this diversity in the animal kingdom is extracted from the seed which He placed in them. Surely for this Master Workman it cannot be difficult, much less impossible, to extract from human seed another creature similar to its progenitors. Just as He is able, at will, to compose and fashion this body with superlative art and balance, in the same way is He able, if He desires, to give it a still higher degree of perfection by endowing it with reason and rational discourse. Furthermore, God crafted humankind's heart and senses in precisely such a way as to accommodate that soul.

Before going any further — and I beg you not to lose patience — I must ask you a question. Did you not say, just a short while ago in your chapter 4, that as far as understanding goes the rational soul knows of no limits and is able to have apprehension in all matters which God apprehends, the created and the non-created and even in the essence of the divine? So, how can you now say that you are unable to understand the works of God and how a creature is engendered in its mother's womb? You were able to grasp the non-created, yea the very essence of God, yet you cannot grasp the works He performs each day, indeed the very works He performs for your benefit. I must conclude that you do not mean what you say; you are a deceitful knave, a vessel of blindness and lies. But let us not get carried away.

To disfigure my arguments you say that I am a reviver of the base sect of Epicurus, buried already for many moons. So as not to let you go without an imprecation, may God afflict your tongue and the hand with which you wrote such words. And now I have a little job to do on you and I will show you that you and your fraternity are following in the footsteps of Epicurus, when you derive your satisfaction from

sensual pleasure and deny divine justice. Is it not you who claim that the Sabbath is a day for pleasure and that it is a divine commandment and a good deed to come together with your wife, fill up your belly with food and the more often you do these things the better you carry out the commandment? To support this you adduce a verse from Yesa'yahu [Is. 58, 13], which you vainly misinterpret. Is it not just like you, for not only is sensuality your greatest pleasure, but you run riot with it in an Epicurean way, abusing the Sabbath, a day holy to God. It would have been more proper to abstain from things carnal in order with a cleaner body to sing a psalm to God and to contemplate the grandeur of His works, than to contaminate the body with an action from which impurity is derived and which clouds rather than clears the understanding, already weighed down by excessive eating and drinking and looking for ways and means to increase your appetite for inordinate lusting. Thus you have become gluttons for pleasure, pretexting a divine commandment to authorize doing things on the Sabbath which it would be more proper to avoid.

I say you deny divine justice, because according to a tenet of yours, which you recite:

All Yisra'el have a share in the world to come [...] [Mishna Sanhedrin 10, 1].

And with the sole exception of some excommunicated miscreant, excluded from your midst, such as I, all the rest of you — either in one transport or the next, either by means of a prayer or by some other efficacious procedure — will end up in the world-to-come. As children of Yisra'el you have that privilege so secure, that you never lose a night's sleep worrying about it. But this belief of yours represents divine justice as a respecter of persons. Indeed it establishes one law for you and a different one for the others, though you are no whit better than they are, for by your actions you are eroding and fraying the nervous tissues of the Law and putting your confidence in vanity. But the Lord replies to you as follows:

But unto the wicked God saith: "What hast thou to do to relate My statutes and why bearest thou My covenant upon thy mouth? And thou hatest instruction and castest My words behind thee. When thou seest a thief, then art thou pleased with him, and with adulterers hast thou thy portion. Thou openest thy mouth for evil and thy tongue frameth deceit. Thou sittest and speakest against thy brother; against thy mother's son thou utterest slander. These things hast thou done, and I kept silence: thou didst ween that I am like thyself: I will reprove thee, and set it in order before thine eyes." [Ps. 50, 16-21].

All these things are found in you. Do you really think that just by having the Law upon your tongue, you can get away with it, and practice with impunity your kind of "divine" justice? But the Law is telling you that you misrepresent her, that you will be judged by her and be confronted with all your misdoings. Thus the Law judges and condemns you and yet you are impervious to these judgements and, since you say that you believe in hell, it must be awaiting you. Anyone who so well deserves evil to befall him in this world, perforce deserves to have it befall him in the next, because in this world God promises bliss to the righteous and suffering to the wicked and the evils that befall one in this world must be harbingers of those that you claim exist in the world to come. But do not fool yourself into expecting future bliss, but rather cast away the life-style of Epicurus who derived all his satisfaction from sensual pleasure and denied God's providence. While you do not deny His providence, you insult His justice, for you pretend it to be a justice that favours persons.

Chapter 11

Replying to the Adversary's Eleventh and Especially to his Alleged Evidence Concerning Bliss in the Hereafter

After making certain erroneous affirmations which have already been disposed of, the sophist alleges that I presented two contradictory propositions, both of which I claimed to be true, because I said that the life-spirit dies before the person dies, thereby allowing for a period of time during which the person is both dead and not dead. Having pointed this out he triumphantly exclaims: "Let everyone take notice of how his erroneous opinion is self-destructive!"

I shall now improve on his exclamation by one of my own: Let everyone take notice of the deceitfulness of his vile tongue and judge thereby the tortuosity, emptiness and baselessness of his reasoning! While I did say that the life-spirit dies first, this does not imply an intermediate period during which the person is not yet dead. I merely wished to convey, as is indeed logical, that the person dies as a result of the spirit being extinguished, contrary to those who state that a person dies and his spirit remains. Needless to say, death occurs the

instant the life-spirit departs and this departure is, in fact, death. As Scripture says:

His spirit will go forth, he shall return to his earth [...] [Ps. 146, 4].

Let no one be surprised by the treacherous and crooked ploys which are customary and natural to his insipid and vexatious mind. I am doing the utmost to spare myself useless labour, and shall therefore react and respond to no more than a few of his foolish ideas and instigations.

In order to prove the existence of posthumous happiness and the world-to-come he adduces the following:

"Unless I had believed to see the goodness of the Lord in the land of life" [Ps. 27, 13]. And 'Abigayil says to David: "[...] yet will the soul of my lord be bound in the bond of life with the Lord thy God [...]" [1Sm. 25, 29]. And: "[...] no eye had seen God beside Thee, who would do thus for those that wait for Him" [Is. 64, 3]¹, as if to say: the goodness that only God saw, that goodness God will make known to the person who hopes in Him. And: "[...] in order that it may be well with thee and that thou mayest lengthen days" [Dt. 22, 7]. So we have it from the mouth of the Lord: "in order that it may be well with thee" signifies this world and "that thou mayest lengthen days" refers to the world-to-come [...] On the other hand He threatens the wicked: "[...] cut off shall be cut off that soul, its iniquity is upon it" [Nm. 15, 31]. So we have it from the mouth of the Lord: "cut off" signifies from this world and "shall be cut off" means from the world-to-come.

And thus he thinks he has proven a world-to-come!

To each of his perversions of Scriptural verses we shall briefly reply by showing that there is no world-to-come in any of them.

The bliss referred to by David in verse 13 of Psalm 27, is of this world, as the context of the psalm shows. In many of its verses he speaks of persecution, and of betrayal even by those closest to him. Simultaneously he finds consolation through his faith in God. He expresses his confident hope of divine deliverance and of being allowed to savour the goodness that life holds in store here below.

Who is the man that desireth life, loveth days, that he may see happiness? Guard thy tongue from evil [...] [Ps. 34, 13-14].

¹ Da Silva quoting in Spanish the Ferrara Bible, has this clause of Is. 64, 3 in the singular: "for the one that waiteth." For some reason da Costa in his Portuguese version of the same verse has this clause in the plural: "for those that wait." Cf. Targum, *loc. cit.*; Septuagint, Is. 64, 4. As becomes obvious below, this change is without significance.

The meaning of “life” and “happiness” is life and happiness here below!

'Abigayil [lSm. 25, 29-35] correctly pointed out to David that if he would practice righteousness and do what is good in the eyes of God, his soul would be protected by Him from the power of Sa'ul and of all his other enemies, as if it were a bouquet held in His hands, while, on the other hand, God would spurn the souls of David's enemies and fling them away as one flings away a stone with a catapult and thus rid him of them.

The verse in Yesa'yahu [Is. 64,3] says that God is one, faithful and powerful and that no one saw or knew a god other than the only God who in effect can reward, save and deliver those who trust and hope in Him.

The verse in Deuteronomy [22, 7] signifies: 'In order that God may give you happiness and allow you to reach extreme old age.'

As for the expression:

[...] cut off shall be cut off that soul [...] [Nm. 15, 31].

it describes premature death, as does the opening of Hizqiyahu's paean upon recovering from his illness [Is. 38, 10].

Returning to the phrase “to lengthen days” there are many places in the Law where its meaning is made abundantly clear, for instance:

[...] so that you may lengthen your days upon the land which the Lord your God gives you for a heritage [cf. Dt. 4, 40; 5, 16; etc.].

“Upon the land”, not “upon the heavens” are the days of human life lengthened or shortened (I do not believe that to prolong a life devoid of happiness would be called “lengthening days of life” but rather “lengthening days of death”), according to its capacity. My dishonest opponent lies when he says that “from the mouth of the Lord” we have the interpretation he gives; rather does it emanate from the mouth of this perverse commentator, for from the mouth of the Lord do not issue suchlike fantasies and follies. By this method of interpretation, when the Law says:

[...] stoned will be stoned the ox [Ex. 21, 28]

we ought to understand “stoned” to mean in this world; “will be stoned” to refer to the world-to-come. So we would never have done with stoning that ox! In reality, this kind of repetition of a word is used in Hebrew

for effect, emphasis or to denote urgency. O to be rid of these deranged fantasts and the chore of having to reply to their foolishness! Nor is it any less foolish on their part to claim that there would have been no need for God to disclose the alleged punishments of the after-life. Not only would there be such a need, but just as it is impossible to imagine injustice in God, it is impossible to imagine that God would condemn a person to punishments about which he had never been warned, to be suffered in a world of whose existence he had never been informed.

Chapter 12

Replies to Sundry Assertions of the Adversary

This reply addresses just a few of this rambling philosopher's stray irrelevancies; others, for brevity's sake, will have to remain unanswered.

In chapter 12 he claims that "if man could find a way to regain the radical humour and fine substance which he is losing continually, he would always constitute the same being," but, since no such remedy exists, he ultimately dies. Then comes the afterthought: "But what has all this to do with the soul, which by its very nature is immortal?"

How is one to reconcile such opposite statements? This curmudgeon avers that man dies because his substance is spent and used up. That substance on which humans draw to live is none other than the soul,¹ which vivifies them. The human being dies as a result of this substance being spent and used up: nevertheless he is immortal! He goes on to assert: "Death is but the separation of the soul from the body and the return of each to its proper place." This sounds as if the soul and the body were two friends who get together. After taking a short walk they see that it is time to go home and to bed. So they shake hands, take leave and separate. What a separation and what a return to one's place! We all know what the body turns into after the separation; so how can the friends ever meet again? Moreover, he challenges me to prove that the soul was at one time dust if it is to "return" to dust. But no one ever claimed that human souls are dust or even that the souls of animals are dust. Nevertheless all agree that animals turn into dust when the soul that animates them is extinguished. So whatever

¹ Da Silva never explained what he meant by "the radical humour and fine substance" which is slowly being used up in the course of life. Even if he had a human

soul the animals were given by God, must have been taken from the essence and substance of the elements; and why should the human soul be any different?

He also asks [in chapter 13] why 'Abraham, if he did not expect a reward in the world-to-come, would have gladly accepted to sacrifice his son and why the son would have allowed himself to be killed. 'Abraham gladly accepted to sacrifice his son because he feared God and loved his son. 'Abraham knew that to disobey and contend against God would avail him nought, for who could save him from the hands of God? Father and son were both under divine jurisdiction, which could exact a greater price from them. So 'Abraham, an expert calculator, weighed the pros and cons and surrendered himself to God, which resulted in great profit for himself and for that son whom God had promised to bless and to whose question 'Abraham had confidently replied with the words: "God will provide" [Gn. 22, 8]. (What good instruction is found here for madmen who disobey God and imagine they can come out the winners, not realizing they will not escape out of His hands.) As for the son allowing himself to be killed, we must realize that he was but a child. Had he been a man endowed with the understanding and power of an adult, he might have considered the possibility of making himself scarce. In other words, had Yishaq been of age, God would not have demanded that sacrifice of 'Abraham, because it would not have been up to 'Abraham to make it. But as he was a minor, the merit was not Yishaq's, but the father's alone, and it was to him that God directly addressed the promise of reward, even though that reward would undoubtedly redound also to the son's advantage. This would not have been so if Yishaq's decision had been voluntary, the considered action of a free man, who by surrendering himself to sacrifice, would indeed have earned more merit than his father. After all, love begins at home and, generally speaking, everyone loves himself first and others afterwards.² Even if we were to assume that the merit of the father in deciding to go through with this would be equal to that of the son, still it would have been proper for God to speak also with

soul in mind, he covered himself — as da Costa well knows — by providing human beings with multiple souls, one of which could get used up without affecting the immortal one, of which he can say: "but what has all this to do with the soul?" (*i.e.*, the immortal soul).

² This opinion can be disputed, especially in its generalization: instances of parents sacrificing themselves for their children are not unknown.

the latter, in order to praise and reward the submission of his will, and not concentrate all His attention on the father.

He continues in the same vein in chapter 14. Seeing himself confronted by so many Scriptural verses which clearly and expressly proclaim that no other life or bliss awaits humankind, and not having at his disposal any manly reply, he resorts to evasive subterfuge. He says that these verses which I adduced prove no more than that human beings die and that to back up such an obvious truth I had no need to cite so many texts. So he who shows proofs and reasons to this blind goat exerts himself in vain, for it jumps over all of them and, wiggling its ears, scampers off.

Among other risible defences and explanations, we come upon the claim that if Iyob, when he says:

[...] my eye will not again see happiness [Job 7, 7]

was referring to bliss and the resurrection of the dead,

it was the utterance of a man at the moment of his affliction and anguish. But when his friends reproach him, he repents and says: "In Whose hand is the soul of every living being and the spirit of all the flesh of man" [Job 12, 10]. Since he uses different words when referring to the souls of animals and those of human beings, he clearly indicates the difference which he knows to exist between them, and declares that the human soul will live forever: "If he were to set His heart upon him, He would gather unto Himself his spirit and his breath. All flesh would perish together and man would return unto dust" [Job 34, 14-15]. In this passage God consoles the righteous man and tells him that he will have his reward in the world-to-come and while all other creatures are consumed, only man, though he be buried under the dust, will again rise above it and live.

So we are supposed to believe that Iyob came to regret his earlier outburst. And as proof this fine fellow cites a verse from another chapter, where Iyob, arguing with his friends, tells them that what they are saying is known to the donkeys, the birds of the sky, the earth itself and the fishes of the sea. 'For who does not know that God is Lord and Creator and that in His hand is the life of all creatures?' So, far from recanting, in fact Iyob presses his argument ever more ardently upon his censorious friends. How stupid to suggest that his affliction would have impelled Iyob to deny the bliss of a world-to-come! Hope of such bliss would have held out for him the promise of consolation and of recompense for the merits to which he (Iyob) pretends when replying to his detractors. As to the claim that the words "soul" and "spirit"

have distinct meanings, it is obvious that they are in fact used indiscriminately for animals and humans throughout Scripture. It would therefore be a shame to waste time on this matter. I will merely set out for this blockhead the true meaning of the verses in chapter 34:

If He were to set His heart upon him, He would gather unto himself his spirit and his breath. All flesh would perish together and man would return unto dust [Job 34, 14-15]

which he completely warps.

In chapter 34 it is not Iyob who is speaking — as this prevaricator implies — but one of his friends. Nor is he consoling anybody: he is simply averring that a human being cannot bring God to trial (this fact was very well known to Iyob) and that if God were to summon the world to judgement and scrutinize its failings, the only result would be the end of humankind:

If He were to set His heart upon him [...].

If God were to submit man to a thorough investigation and judge him according to his works:

[...] He would gather unto Himself his spirit and his breath

God would cause to cease his vital spirit and his breath; and once these cease:

[...] all flesh would perish together and man would return unto dust

all would be consumed and come to an end: no longer would there be a world, no longer would there be human beings. That the expression “to set one’s heart” means “to examine carefully the work and its merit” is quite obvious and may be confirmed by other Scriptural verses:

What is man that Thou shouldst take account of him? and that Thou shouldst set Thy heart upon him? And that Thou shouldst visit him every morning, and consider him for a few moments? How long wilt Thou not depart from me [...]? [Job 7, 17-19].

‘Man, O Lord, is a vessel full of ignorance and iniquity. Do not consider attentively his works, nor set Your heart upon them, because he will not pass muster under Your scrutiny.’

Similarly 'Abigayil said to David, at the time when he came to chastise her husband for his ungrateful and ungracious response:

Let not My Lord, I pray thee, set his heart upon this wicked fellow Nabal, for as his name is, so is he: Nabal is his name and foolishness is with him [...] [1 Sm. 25, 25].

To "set one's heart upon" somebody is therefore equivalent to "examining the works" of that person and the correct explanation of the verse is the one just given. To reply to all the crooked and false explanations of deceptive tongues, there is neither paper nor life-span enough.

Chapter 13

Replies to More of the Adversary's Assertions and Shows in What Respect the Human Being is the Likeness of God

In his chapter 15 the philosopher goes on to say that when a person is told to eat, though the addressee is a total human being, possessed of a soul, yet this communication does not pertain to his soul, for the soul neither eats nor drinks. He would have it that the soul of this form is so detached from its body that it does not participate in its affairs and is, as it were, serving time there. Next he will say whoever liberates the soul from its captivity is absolved from homicide, for by his act he has released the poor soul from its melancholy incarceration and allowed it to soar homewards.

The blighter seems to have forgotten what his ancestors said in the desert, when they were complaining about the food with which the Lord was providing them:

But now our soul is dry; our eyes see nothing but manna [Nm. 11, 6].

Nor does he remember that affliction of the soul is affliction of the whole body and that, conversely, the soul is not healthy when the body is ill.

He continues by commenting on the verse:

[...] a spirit which passeth and returneth not [Ps. 78, 39].

A thing that moves, says he, must be possessed of being, otherwise it could not move. O Sylvan Doctor Semu'el! — or rather Doctor Semu'el in the Thicket! — or, still better (or still worse, because you are so tiresome): plain Doctor Thickhead without the Semu'el, you have got it all wrong! What the verse is saying is that human beings are like a wind which blows and passes and that particular wind which passes does not come back to blow and pass a second time. In her set piece Yo'ab's stooge gave vent to the same thought:

For we shall surely die and shall be as water spilt on the ground which cannot be gathered up again [...] [2Sm. 14, 14].

'We pass on and are not reconstituted, any more than spilt water is retrieved or the wind which passes returns again.' Whereas the falsehood which you try to force upon this self-explanatory verse [Ps. 78, 39] stays behind and is preserved within you as in a jar. I skim over the graciousness (or lack of it) with which you allow that though the spirit will not return through its own steam, if God commands it to return, then there is no reason for it not to do so. Your deference and courtesy towards the Deity leave one speechless.

He goes on to say in chapter 16 that if Epicurus had had a Law and had believed that God created man in His likeness, he would in no way have doubted the immortality of the soul, because he was not so deficient in discernment and philosophy as to deny the force of conclusive and convincing arguments.

Unless malice had blinded this man, he could never have written so despicably. Whom could Epicurus in this day and age find to approve his judgement and philosophy, were it not for him? It was certainly with much reason that Epicurus, because of the dullness of his mind and doctrine, was called the ox among philosophers and one who now approves Epicurus' judgement should also be called an ox and a discredit to true philosophy. Epicurus held sensual pleasure to be the ultimate good. True discernment and philosophy teach us to regard peace, health and the means to preserve them as the greatest good. Sensual pleasure is the enemy of all these. Epicurus denied the existence of God and said that the world is a body which had no beginning: as it is now, it has always been. True discernment and philosophy teach that since nothing that lives has sufficient power and initiative to bring itself into existence, nor does any object that one sees with one's eyes have the property of creation, there must of necessity be a greater force which provides living entities with their existence as well as the property of maintaining their species by means of that same method

used for their creation. And since among living entities not even the human, which is the principal one and a rational creature, has the power and initiative to bring itself into existence, much less so can any insensible and inanimate entity have that power and initiative.

Thus, for any of these entities to exist, natural reason demands the intervention of an active principle or essence which had no need to derive its existence from anyone, incomprehensible to us because of the incapacity of the finite to comprehend the infinite. Now although this natural conclusion is reached by crystal-clear reasoning which only a fool can reject (as the Psalmist says:

[...] The fool said in his heart: "There is no God" [...] [Ps. 14, 1])

our philosopher (a discredit to all philosophers) is not ashamed to say that Epicurus was not so lacking in judgement and philosophy as to deny the force of arguments. Forsooth, I do not know what is going on in this person's head. In the presence of other people I overheard him say (I am speaking the truth, so help me God) that "concerning the creation of the world there are great problems." So I asked him what kind of problems, seeing that man was created. He replied that man was not the world. And when I asked him again, with more insistence, he simply said: "when." This poor fellow is a reader of Aristotle and Aristotle affirmed that the world was eternal and denied creation, claiming that generation is infinite, and that there was no first man. But since it is clearly necessary for there to have been a first man from whom all generation sprang, he apparently fell out with his master and it is not surprising that he did so, for after all his discernment is such that he found discernment in Epicurus.

Concerning the argument [as to whether man could be described as created in God's image if he were not immortal], we have already said that man is not the image and likeness of God in the way that the son is the image and likeness of his father. So he who attributes to man, just because of that word "image," the immortality which is found in God, is labouring in vain. For if the argument held true for immortality, it would also hold true for wisdom and for power. Since the limitations of human wisdom are so manifest and since human power is even more circumscribed than human wisdom, the adversary misunderstands the expression "God's image" which Scripture attributes to humankind. Man is limited in life-span, in knowledge, in power and yet for its duration his life symbolizes the image and likeness of God in some respects. That is why we put "almost similar" — the expression which the adversary impeaches — in order to show that the word "image" is not

to be taken in its first and literal meaning. This is precisely what the Psalmist says:

Yet Thou hast made him a little less than God, and Thou hast crowned him with glory and honour. Thou makest him to have dominion over the works of Thy hands; Thou hast put all things under his feet [Ps. 8, 6-7].

The Psalmist understands human beings to be in God's image in so far as they hold unrivalled sway over all other creatures on earth (including wild beasts whom they subdue by cunning) [cf. Gn. 1, 26]. Indeed, many animals receive their sustenance from humans and eat out of their hand. Elsewhere the Psalmist likens them to God in respect of their role as administrators of justice; — judges often being entitled "gods":

[...] God stands in the company of God; He will judge among the gods [Ps. 82, 1].

Heads of household in a way could also be said to resemble God. So we have many instances wherein human beings may be likened to God. Consequently, the words of Scripture may be understood without recourse to fantasies. Here we should note the explanation our adversary gave¹ the text which says that 'Adam engendered [Set] in his own likeness, after his image [Gn. 4, 3], claiming that these words refer only to moral qualities, not to physical composition. So we see that there, where the words are so obviously literal, referring to a son who is the true image of his father, he understands them to refer merely to the moral qualities. And here, where there is no question of the resemblance being more than an imitation of God in one or another aspect, he insists on interpreting them quite literally, as if the human soul were possessed of the entire range of divine attributes.² But man is not an exact copy of God, either as regards his body or his soul; nor did Scripture claim that he is, nor did it separate soul from body and restrict the likeness to the soul. Rather about the whole of man, consisting of body and soul or, to put it better, of an animated body, did Scripture say that he was like unto God; and, in what respect, we have already explained.

At the end he says: "Lime is similar to snow, but lime is not snow. Thus man is similar to God, but man is not God." Another installment

¹ In da Silva's Chapter 9.

² Da Costa writes *de tudo o que Deus tem*, whereby he attributes more to da Silva than the latter's theory necessarily implies.

of his ravings! If man is no more the image of God than lime is the image of snow, all raving is stilled. But if you should say: "lime is similar to snow; snow melts in the sun; therefore, lime also melts in the sun," you are arguing in your usual way: "man is similar to God; God is infinite; therefore, man is also infinite." Make up your mind: before you claimed that when one object is likened to another, it must possess all the qualities of the object to which it is being likened and for that reason the human being must possess all the attributes of God. Now, as if unmindful of your previous reasoning, you bring in examples of lime and snow, whose whiteness is their only common feature, being in substance and nature totally disparate.

Chapter 14

The Human Soul Does Not Have a Specific Name to Distinguish it from the Animal Soul

In chapter 17 our opponent sets up a chair for Hebrew studies and explains that the human soul is called *nesama* and the animal soul *nefes*, and that while it is true that the human soul is also sometimes called *nefes*, there is a special reason for this, of which he will apprise us in good time.

These wondrous discoveries have gone to his head and they now form part of his syllabus! On the strength of them he holds forth, calls people nasty names and fancies himself the fount of all wisdom. We, however, will show him that it was not to his advantage to churn these waters, which we had purposely left tranquil for fear of the mud that would be dredged up.

The word *nesama* means "breath, puff, spirit" and may be applied to any living thing possessed of respiration:

And all flesh perished [...] All in whose nostrils was the breath of the spirit of life [*nismat ruah hayyim*], of all that was on the dry land, died [Gn. 7, 21-22].

The word *nefes* signifies "soul, animated body" and is applied equally to humans and to beasts. It is used every time that the concept of "soul" is evoked.

Ruah denotes “wind, spirit.” Scripture alternates between these words according to the particular nuance it wishes to bring out — whether it be the breath, the soul or the spirit by which humans live — but these fabulists have invented a theory which makes each of those terms signify a distinct soul. Thus they make human beings out to comprise three souls, so fragmented and autonomous that, as some would have it, at least two of them can inhabit separate bodies.¹ They back up these arcana with very amusing anecdotes. These must be the kind of mysteries this fellow has in mind when he now says that the human soul is also sometimes called *nefes* (you always come up with a new one!), but that he will only give the reason when it suits him. As he is too absorbed at the moment, divulging the secret will have to wait upon his leisure. Or maybe the reason he has up his sleeve is another of those disreputable ones, which can only come out disguised and under cover of darkness. In daylight, their shame would be exposed.

Carrying on with his teaching, for which he is so ill-suited, he says: “Sit up, take notice and learn.” Poor chap! What is it that you want to teach me? Don’t you know that when I was nine years old my teacher compared me to a fellow-student as tall as you are and embarrassed him in my presence? Well, go ahead and speak your piece; I stand to attention. With an introduction like that to put one on one’s toes, you must have great revelations in store, remote and concealed from general view.

Here is what he says:

The difference between the corruptible human body and the *nesama*, or immortal and divine soul, was so great, that it seemed inconceivable for a union to exist between such opposites. Hence, the Platonists, for example, denied it, as we saw above. Lest we too should be incredulous of the reality of such a union, it was necessary for Sacred Writ to show it forth, by saying, as it did, that God inspired in human beings a *nesama*. If not for the Bible telling us this, we would suppose it to be repugnant to an immortal *nesama* to unite with the body and in so alien an environment to activate un-bodylike functions such as perception and reasoning. To dispel any lingering doubts Scripture adds: “and was for living soul.” It does not say: “was living soul” or “was *nefes haya*” (which is the soul of brutes), but rather “was for soul” or “instead of soul,” as if to say: even though the *nesama* is of such refinement that its proper function is to perceive, it is nevertheless not above carrying out in the human body the function which the *nefes* performs in the

¹ It sounds as though da Costa means here to aim his irony at the cabbalistic hierarchy of souls. Some cabbalists speak of four souls in ascending order: *ruah*, *nefes*, *nesama* and a fourth one, not named by da Costa, *yehida*.

bodies of brutes, such as to animate, to feel, to move, etc., as Iyob said: "[...] and the breath of the Almighty gives me life" [Job 33, 4] where the word "breath" translates *nesama*. With this true explanation all the staggering and tottering of this confused blind man, etc.

O you brazen dunce! Although you have been told this by me quite often, you merit to hear it again and again. Do you take me for an idiot, that can be fobbed off with a sop? Was it to listen to this that you exhorted me to take heed? Is this what you want me to learn? So I say to you again: you have no shame. Having wasted so much time in copying out your arguments, am I now to waste any more of it replying to you? Certainly it would be best to leave you with no response and, in fact, what I am about to say on the subject amounts to little more than that.

I have already said that *nesama* does not literally mean "soul", and even less "immortal and divine soul," but rather "breath," "puff," and "puff with which one fans a flame," as in the verse:

[...] the breath [*nismat*] of the Lord like a stream of sulphur blazing in it [Is. 30, 33]

where we find the same word [*nismat*] as in the story of the creation of man [Gn. 2, 7]. Now in the creation of man Scripture needs two words *nismat hayyim* ("puff of lives"), because the word *nismat* by itself expresses no more than "puff", and all puffs are not necessarily puffs of life, just as all spirits are not spirits of life, but merely those which have animal lifegiving properties. Thus we see what an arrant lie it is to say that the word *nesama* by itself denotes "immortal and divine soul." That this word in fact connotes no more than the word *ruah* [which is never translated "soul"] is a well-known fact as witness the following verse:

All the while my breath [*nismati*] is in me and the spirit [*ruah*] of God is in my nostrils [Job 27, 3].

Here the words are inverted. Job says that in his nostrils he has *ruah*, whereas Genesis 2, 7 says that God insufflated *nesama* into the human nostrils. So we see that the words *nesama* and *ruah* are interchangeable, and whether one translates them by "spirit," "puff" or "breath," it all amounts to the same thing. This fact is further borne out by Yehezqel 37, 6, where it is not a *nesama* that is summoned to enter into the corpses, but rather a *ruah*, and through the *ruah* they

come alive (it being understood that the whole verse is meant figuratively).

Now, as to our adversary's reference to the Platonist position, we believe they were quite right to deny that any kind of union could exist between the body and a soul which is a substance separate from the body and independent of it. Those who would like to refute their objections and respond to them, are unable to do so.

Impervious to what he said earlier, this blunderbuss trips himself up by saying now that the *nesama* ("immortal and divine soul") carries out in the human body all the functions which the *nefes* performs in animals. For what he says now implies that man is vivified by no other soul than the immortal one. If that were so, he would never die, because with an immortal soul the creature that it activates should be immortal too.² But what he had claimed earlier was that the engendered creature receives from the seminal properties of its male progenitor the same levels of soul possessed by brutes. So if that is the case then the *nesama* ("immortal soul") does not carry out the same function as the *nefes*, because the *nefes* — which is the soul that the engendered creature had received from its progenitor — was already carrying out that function before the *nesama* entered the body. It is impossible to conceive of two souls, one of them mortal, the other immortal — totally opposite qualities — carrying out the same function. Yet I suppose he would say that, since both are able to carry it out equally well, in the case of one of them weakening, the other, that did not weaken, could hold the fort and direct operations in the interim. This is no doubt the kind of fairy tale that we were supposed to sit up for and learn from and these are the deceptions whereby bogus, self-appointed teachers manipulate and subject the simple-minded to their domination. Woe to us who are detained and worn down by such fatuous trifles and woe to you, O wretched opponent! May you know fatigue in life and in death, as you tire out others in vain!

He further goes on to say that for love of the Law and a future reward, Israel renounces advantages, pleasures and tranquillity; lives under restrictions, in poverty, fear and exile. How benighted can one be not to realize one's true condition, and to believe that all those things that one is denied could be attained were one but to pit oneself against God and His power! Not even the examples he has before him and those

2 Whereas da Silva's self-contradiction as to which soul carries out the animal functions in the human body is readily discernible, the inference from immortality of the soul to necessary immortality of the body is less so.

which he can see every day in his own house suffice for him to perceive that the thoughts of men are of no consequence and that God's will shall prevail [cf. Pr. 19, 21]. If human endeavour could prevail against Providence, then the Law would be uttering empty threats when it predicts that, to avenge their breaking the covenant, the people would be scattered throughout the earth and pursued by the sword.³ But history has vindicated the truth of those predictions and he himself is a living testimony of that truth, for though he and his ancestors swerved from the path and adopted the ways of other people as a means to obtain the honours and wealth he speaks of, they were not able to ward off divine vengeance.⁴ That our nation can never disavow or disguise its origin must have been decreed by God, not merely so that those ancient predictions of the Law be fulfilled to the letter, but also to demonstrate thereby to the world the truth of His Law, His word and His unity.

In conformity with his excellent good sense and belief that it is in the hands of human beings whether they will enjoy themselves, the wicked man says that I would be better off leading a "high life," seeing that I negate an after-life.

O you ignoble Epicurean! What then is that which you call "high life"? Is it renouncement of the fear of God and giving oneself over to vice? Is it living a life of sin and coming to grief at the end? Now if it were in your hands to lead a "high life," why, pray, do you not cleanse yourself of the leprosy you carry around with you? Why do you not cure yourself, since you are a physician, and why do you go around disfigured and faceless? Ah well, wicked fellow, you are no doubt incapable of giving salutary advice to others, seeing you have none to give yourself. I can hardly expect someone who carries hell around with him to save me from hell — for just to look at you is to see hell. If to

3 In all probability an imprecise reference to an exegesis of Dt. 28, 64-67 and Ezek. 21, 14-15 found in Samuel Usque's Portuguese masterpiece *Consolação às tribulações de Israel* ("Consolation for the Tribulations of Israel") (Book III, chapters 28-31) (1st edition 1553; reprinted at Amsterdam probably in 1611). Usque assumes these curses to be prognostications referring specifically to Portugal ("the end of the earth"), the General Conversion of the Portuguese jews in 1497, the massacre of the New Christians at Lisbon in 1506 and the establishment of the Portuguese Inquisition in 1538. The Inquisition, Usque explains, is God's instrument to punish the Portuguese jews for accepting christianity, "even though it was under duress."

4 Probably another reference to "Consolation for the Tribulations of Israel," this time to the unnumbered chapter in Book III where Usque writes that the Portuguese New Christians "feigned christianity with all their might in order to save their life and property." Perhaps he is referring to some specific misfortune which befell a member of da Silva's family in Portugal as a result of Inquisitorial persecution.

be in hell means to be well supplied with vermin, stench and itches, to have one's skin glued to one's bones and one's nerves devoid of flesh, then you are hell incarnate. What is in store for defunct and senseless corpses, you experience during your lifetime.

My life, on the other hand, seems no longer worth living in your eyes, since I am not part of your band. But it is precisely because I do not enter into the company of the distorters that I am blessed. May God my Creator, under Whose protection I place myself, keep me in my present state until my dying day. Surely I would not wish evil upon myself, yet you want to deliver me from the hell in which I live. As to the accounting which you claim that God will demand of me afterwards, let it not worry you too much. May God have compassion on me in this life, as He does, and I shall pay in the hereafter the offences which you attribute to me. May you suffer hell in this life — as you are doing anyway — and afterwards receive the reward for the goodness which is not in you.

When blacks, whites, Kaffirs and Chinese, without any distinction, soar up to heaven, only you will remain here below. I do not want you to go up there (one day I shall be the keeper of its keys because of you). I have two reasons for this. Firstly because, due to the weight of your oppressiveness, heaven would doubtless collapse on us and all would be chaos again. The second reason is that since you are the Atlas who upbears the firmament (a good indication of this — besides your claim to the role — is the way your head has come down so low onto your bosom that you seem to be hiding it), with your departure the same catastrophe would befall us. In view of the alternative, I must have you remain here below.

The romance writer whom you reproach me for citing against you — you say that I should be ashamed to have done so; may he confound and shame you! — is a poet, not a mere poetaster. He knew more while asleep than you in your waking hours. The rest of your snide remarks I shall let pass because I am fed up with you.

Chapter 15

Replies to Several Points of His Chapters 18, 19, 20

In his chapter 18 our opponent says that the words Mose addressed to God:

[Yet now, if Thou wilt forgive their sin -; but if not] blot me out [...] from Thy book which Thou hast written [Ex. 32, 32]

do not furnish proof for the immortality of the soul. The explanation of this verse which he offers instead, is just the kind one could have expected from him and his coaches. However, in spite of what he says, this verse is regularly adduced as an argument for immortality. If he is unaware of this, let him ask around. In fact, some of those very people who believe that Mose was referring to the Book of the Living as they call it, comment that Mose, like a son who begs his father on behalf of a servant, was confident that God would grant forgiveness to Yisra'el, and thus did not really contemplate being excised from that book. But the true meaning of the verse is the one that we already gave.¹

Our opponent goes on to say that if Mose did not have in mind the existence of an afterlife, it would have been folly on his part to ask God for death, which he could have inflicted on himself and, therefore, nothing can explain Mose's refraining from suicide other than a reluctance to commit an act which could prejudice his chances for obtaining a share in the after-life.

Anyone capable of such an idea cannot be reckoned a human being nor even a beast, because there is no animal that does not love its own life and that does not flee from anything that might imperil it. Our adversary should be reckoned among those frantic persons who, having taken leave of their senses, jump into the water or into the fire. With this creature I have to negotiate, one that says it is folly to ask God

¹ Curiously, da Costa and da Silva are for once in agreement on the interpretation of a biblical verse and yet begrudge each other the compliment. Both understand the "blotting out of the book" to be a request for the end of earthly existence.

for death while knives are available and cross-beams and ropes in supply.

O witless adversary, how I wish I had done with you! Do not try to associate Mose with your depravity, nor was it because he really wanted death that he uttered those words! He much preferred life to death and his soul was not suffering in his body. You can go ahead and hang yourself if that is the only way your soul can be freed from its anguish. Good and judicious people do not have recourse to your insane expedient.

Our adversary goes on to condemn the explanation we gave of the verse:

Precious in the sight of the Lord is the death of His pious ones
[Ps. 116, 15]

where we said: "The Lord does not esteem the life of His righteous ones so little as to be indifferent to their death." He considers the meaning of this verse to be that the death of the pious is pleasing, and highly esteemed by the Lord, because it is pleasant for Him to receive them in His glorious abode and to reward them for their works. The true explanation is the one that we gave. We proposed it at the time, not because it really affected our position, but solely to counter their false interpretation. But our frenzied opponent persists in his frenzy and there is no rousing him out of it even with lashes. In that psalm David is not thanking God for having taken his life from him, but rather for having allowed him to escape death. He is saying that the death of the righteous is very costly, dear, high-priced in the eyes of the Lord; not "pleasant," as this barbarian would have it — nor does the word *yagar* connote such "pleasantness." Things that are highly valued are called dear, difficult to find, and their opposites are called vile. This was our intention in saying that God values the life of His righteous and, consequently, their death is dear and costly in His eyes. He sets so high a price on their life, lifting it, as it were, out of the reach of the wicked who seek to subjugate them. This is also the meaning of the verse which speaks of the righteous king who would come to the aid of the poor and needy:

He will redeem their soul from deceit and violence and precious [*veyeqar*] shall their blood be in his sight [Ps. 72, 14]

and in the same vein David said to Sa'ul:

And behold, as thy soul was exalted² this day in my eyes, so let my soul be exalted in the eyes of the Lord and let Him deliver me from all anguish [1Sm. 26, 24].

But our adversary's explanation is in keeping with everything else that proceeds from his obtuse head. Nor does he disappoint when he comes to the verse in Iyob:

If He set His heart upon him, He would gather to Himself his spirit and his breath [Job 34, 14].

This verse he explains to mean that something is gathered up by God from man, which then takes on being and is taken into His protection. I have explained this verse above (in chapter 12) and it does not imply more than the verse:

[...] if Thou but removeth their spirit, they will perish [...] [Ps. 104, 29]

which speaks also of the other animals, whose spirit God removes. It in no way follows that after having been taken away from their bodies these spirits possess being. What the psalmist calls removal, is extinction. Life — the vital spirit which is fed to the living organism — is brought to an end by God.

In chapter 19 he blusters on with his fanciful belief that the dead reply to those who interrogate them. He will not admit that such pretended communications are but tricks and hoaxes produced by witchcraft, because, according to him, the very fact that the Law forbids consulting the dead, implies the reality of such communication. As if the prohibition to consult the dead implies that the dead are able to answer! A person who makes such logical deductions will no doubt also claim that the gods of the gentiles are gods, not merely in the minds of their adherents, but real gods, for the Law says:

Thou shalt have no other gods before Me [Ex. 20, 3].

The rest of his extravagances on this topic merit no comment. We have adequately demonstrated that the dead are conscious of nothing.

² Da Costa's purpose in quoting this verse is not altogether clear, since it does not contain the word *yakar* ("precious").

He goes on to say that 'Elisa^c stretched himself out on that boy to prepare and warm up his cold limbs for resuscitation. It sounds as if 'Elisa^c wanted to purge the boy! But in that case he might have administered a potion to stir his humours before incubating him, as it were. Evidently this warming-up process is the counterpart of what they claim goes on when worms are brought up to heaven to be heated in preparation for human souls to be implanted in them.³ Oh, what infamous medication! O luckless patient, who would hope to be resuscitated by means of your remedies!

In his chapter 20, to show that the righteous are not rewarded in this life, our opponent cites among others the martyrdom of Yirmeyahu the prophet in Egypt. Anything can be expected of the heirs of those who constantly rebelled against God and against His faithful servants and ministers, pelting the best among them with stones. Nevertheless, to me it seems unlikely that Yirmeyahu was martyred.⁴ Rather does it appear to me from his book that he was granted a safe-conduct by God which shielded him from would-be attackers. If that safe-conduct was ever rescinded, it could only be because in the first place it had been granted conditionally. God might have said to him that if he betrayed his mission, he would be crushed in view of the people. Barring such stipulation, God's word could not fail, as it never failed 'Abraham, Yishaq and Ya^caqob, nor any righteous person.⁵

Another example of a righteous person who did not receive his reward on earth our antagonist finds in king Yosiyahu, who died from a wound sustained in battle. But he should have mentioned the part about Yosiyahu not listening to the king of Egypt. For history records⁶ how that king spoke to Yosiyahu in the name of God. He said that he had no quarrel with Yosiyahu and was not sent out against him. We have already replied to our opponent that the ways of God and His judgements are righteous, even when inscrutable. If this should not

³ When he speaks of worms being brought up to heaven, da Costa is presumably having another bash at metempsychosis.

⁴ Marginal comment by da Costa: "I do not believe your stories." On the apocryphal source of these "stories," cf. our first note on da Silva's chapter 20.

⁵ Da Costa conveniently refrains from commenting on Zechariah, cited by da Silva as an example of the martyrdom of a saint to whom Scripture attributes no wrongdoing (2Chr. 24, 20-21), and who thus poses a serious challenge to da Costa's theodicy as presented throughout most of this chapter. However, he seems to backtrack when he brings in the notion of "God's unfailing word," as if to imply that there is room in his system for virtuous people to suffer so long as they were not recipients of a specific promise of divine succour, such as Jeremiah and the three Patriarchs.

⁶ Da Costa is referring to the Chronicler's version (2 Chr. 35, 21-22).

suffice him and he is still unwilling to submit to the Law and to its true doctrine which proclaims and promises during this life weal to the righteous and woe to the wicked, and if he believes that Yisra'el does not deserve the punishment which it is undergoing and, finally — since he considers himself judge of the works and merits of everyone (whom he does not know) — if it seems to him that the world is poorly governed, then he has no other choice but to deny divine providence once more, as he has already done many times — imitating therein the excellent example of other blind, foolish men — and to dismiss the Law.

God permits many things for which only He knows the explanation. If someone should ask me the reason for God's actions, what reason could I give him about that which is hidden from me? God does not consult me. Meek is the dove and meek is the sheep, yet the one sometimes falls victim to the bird of prey and the other to the wolf. All are God's creatures, of which He is Lord and, as Scripture says:

God made everything for His own purpose [...] [Pr. 16, 4].

God, in His grandeur, wisdom and power, created all this variety of creatures. Who is to question Him on the justice of His works?

Hark! Is that a hunt whose clamour I hear? Many a wolf is going to pay for the blood of the sheep which it lapped up. That predator's habit of hiding in the shrubbery is evidence of its bad conscience, which does not allow it to come out into the open. So do the sins of the wicked shatter their confidence and their conscience accuses and torments them: this is part of their punishment.

If our opponent should reply that just as the mind is unable to fathom God's providence, it is incapable of fathoming His plans for the dead, then I say to him: "humbug!" What God revealed and made known to us concerning man's fate at death we are quite capable of understanding and, in fact, reason alone could have attained and grasped it, even had it not been revealed. But that which Scripture says is reserved to God alone, such as "to know the hearts and to give unto each according to his works", [Jer. 17, 9-10]) that is for God to do, for only He knows and it is beyond human ken.

Finally we should like to ask our opponent which of the following two fates he considers more enviable. That of the horse who in the prime of life was pampered and used in the prince's service and, turning lame in his old age, was sold to a wagoner who loaded him with heavy burdens and, goading him on when he was no longer able to move, made him bite the dust or that of the donkey who spent his working days in the steady service of the same caring coal-merchant? To be sure (we

are not even awaiting our opponent's reply), the fate of the donkey is more enviable; and that is the fate of many a one in this world. With this we have replied to several of those maxims of his. The prosperous are not the ones to be most envied, but those who live out their lives in peace and tranquillity.

Our opponent goes on to deny that God visits the sin of the father upon the son. To prove that God does not do so, he alleges that the Law⁷ prescribes that a son shall not die for his father. This argument is worthless for it is based on false premisses. God knows under what circumstances justice may be served by visiting the sins of fathers upon their children, but here below justice would not be served if human law-courts were empowered to sentence a son to death for a crime which his father committed. The sets of criteria are different in the two systems.⁸

As for innocent Hebel suffering at the hands of Kayin, although God did not order Kayin to kill Hebel, admittedly He refrained from tying Kayin's hands or from deflecting the fatal blow by a special act of grace. But we dare our opponent to show that God committed an injustice by not intervening and that He could not have had good cause for allowing the murder to take place. God announced to David that as a punishment for his sin a member of his own household would be used as an instrument against him [cf. 2Sm. 12, 11]. Is making a son to act wickedly by rising up against his father not an example of visiting the sin of the father on the son? Go and gainsay what God Himself has declared! We do not want to waste more time replying to so many hollow affirmations made by one who does not know which way he is going and who invariably flees from the truth and the straight path.

⁷ Da Costa uses the definite article (*a Lei*), by which term he generally means the Pentateuch. Does this intimate that da Costa really took the words "a son shall not die for his father" to be Mosaic and specifically a paraphrase of Dt. 24, 16? That might explain his use of the definite article ("the Law"). However, he is in fact relying on da Silva, who quotes Ezek. 18, and introduces his citation by the words: "it is a falsity against that law which prescribes (...) using for "law" the word *lei* without an article. Cf. our second note in da Silva's chapter 20.

⁸ Although da Costa here intuits that the doctrine of inherited responsibility may have different application in a human tribunal as opposed to the all-knowing Divine system of retribution and compensation, nevertheless he does not go so far as to explain the apparently conflicting scriptural texts as referring respectively to the heavenly and earthly courts. Dt. 24, 16 has been taken as a prescription for human judges — a tradition going at least as far back as 2Kgs. 14, 6 and reinforced by the deuteronomic context. Ezek. 18, on the other hand, is widely assumed to be descriptive of Providential justice, an assumption not necessarily borne out by much of the context. It could be seen as a call for temperance on the part of human judges.

Chapter 16

Points out Various Errors Made by the Adversary in his Chapters 21, 22 and 23

In his Chapter 21 our adversary goes on to say that in Psalm 16, 11:

Let me know the path of life [...]

David speaks of the voyage after death when God would show him the path that leads to heaven and to the company of the angelic hosts. Not a bad interpretation, considering how little that path is used and that there are no cart-wheel ruts to follow! The poor corpse might easily lose its way and could do with some directions! But even guidance might not suffice to get it to its destination, for the corpse might balk at the steepness of the climb or not find the pluck to scale such heights on its own.

In his Chapter 22 our adversary claims that the dead of whom Yehezqel speaks really did come back to life and that Robi Joseph the Galilean went so far as to claim that these revived corpses migrated to the Land of Israel, married and had sons and daughters. That the Galilean should say such a thing is not surprising and that this blockhead felt obliged to reproduce it verbatim is even less surprising, once the Galilean had said it. Our opponent's argument runs as follows: if it were not true that these corpses actually came back to life, then that which is being exemplified would be false, because the example was false. Our obtuse opponent fails to realize that it was but a vision, and in a vision did the prophet see the whole parable, not with the pair of eyes which look out beneath the forehead. So it was not with those two organs that he saw a field full of bones, much less bones coalescing to form bodies.

The verse from Yesa'yahu:

The dead will not live, the departed will not rise [...] [Is. 26, 14]

after declaring it to be self-explanatory, our opponent proceeds to make it refer to the people of all nations on earth. He claims that these, at their death, are forever extinguished, and that they will remain under

the earth without so much as a memory of them surviving and that the world-to-come and the resurrection, on the other hand, are the exclusive prerogative of Yisra'el.

Verily, if there were no other proof against the falsehoods and dreams of these pernicious blind men, their own declarations would suffice to confound them. Earlier on he argued that the attributes of understanding and of will, which are inherent in humans, prove the soul's immortality. Well then, pursuing his own original argument, any soul in which is to be found this understanding and will must be immortal. In any rational soul is to be found understanding and will: therefore any rational soul, according to him, ought to be immortal. Now, if there is no evidence of any substantial difference between one human soul and another and, according to their theory, the souls of all peoples and nations are annihilated at death, then they must admit that the same fate awaits their own souls. But of course the true explanation of the verse is the one we offered.

Nor will God ultimately make an end of all the nations, as our opponent blindly derives from the verse:

[...] for of all the nations will I make an end [...] [Jer. 46, 28].

What God is saying here is that even if — against all possibility — He were to make an end of every national identity, still would He not make an end of Yisra'el. This is an idiomatic construction very common in Scripture.¹ Our opponent's interpretation is absolutely mad.

He next deals with our handling of the verse:

[...] I know that my Redeemer liveth, and last shall stand on the dust [Job 19, 25].

He states that he does not wish to use this verse (which is the one customarily adduced to prove resurrection) for his thesis. Instead he instructs us further in Hebrew, pointing out that the verb *shall stand* is in the third, not the first person, and that we adopted the Latin version's erroneous rendering of that verb in the first person. He is lying, because the best Latin versions (Pagnino) do adopt the third

¹ Da Costa is obviously referring to the construction where a subordinate clause introduced by the Hebrew word *ki* is followed by the main clause, introduced by the letter *vav*. In this type of sentence the word *ki* has the meaning "even though" and the *vav* means "nevertheless." Cf. *Mesudot David*, *ad loc.*

person and originally so did we.² Yet we had still not completely made up our mind. But, since it all comes down to the same thing and it really makes little difference whether the verse is read *I shall stand* or *my flesh shall stand*, we opted for the first person.³ Yet for all that we were still undecided about leaving it in the first person. What finally tipped the balance, was firstly the desire to cut the ground from under the feet of those who believe that use of the first person is tantamount to an affirmation of resurrection by showing them that the one does not follow from the other and, secondly, for stylistic reasons. So let this miserable Hebrew teacher undeceive himself and realize that he cannot confuse us with any more of his *nefes-nesama* stories because we are perfectly capable of discovering the information we need.

He goes on to wonder why, instead of adopting some erroneous Latin translation [of the Hebrew word *'aharon*], we interpreted it to mean the final end of Iyob's illness and affliction, thereby displaying a lack of regard and respect for all authority. This is the kind of thing

2 As we point out in our Introduction, 3, da Costa's manuscript quires, as published by da Silva, contain the mistranslation: "I know that my Redeemer liveth and at last I shall stand [*estarei*] on the dust" [Job 19, 25]. Taken to task for this by da Silva, da Costa changed every occurrence of *estarei* in (1624).II.2 to *estará* ("it will stand"). Of course da Costa avoids revealing this emendation, for to do so would be tantamount to throwing in the towel. Yet he does not deny ever having written *estarei* — in fact, he openly admits it — although he could easily have accused da Silva of doctoring his text. Da Costa may be an equivocator, but he is no prevaricator. Da Silva, on the other hand, is well aware of the fact that da Costa never relies on the Vulgate, but adapts his Portuguese translations of Scripture from the Spanish Ferrara Bible and Pagnino's Latin version. Yet he feigns to believe that da Costa exclusively relies on the Vulgate. To that extent, da Silva is prevaricating. Moreover, da Silva's dishonesty is compounded by the fact that he only dwells on the Vulgate's use of the first person as opposed to the third, but ignores the more substantial doctrinal question of the resurrection which Jerome reads into that verb, and da Costa does not. Da Costa, however, not to be outdone, pretends that he has never heard of the Vulgate, that da Silva, when referring to "the Latin version" (undoubtedly the Vulgate) is thinking of new Renaissance Latin versions and charges him with imputing Jerome's error to those modern translators. The reader may well ask at this point what lies behind this contest in equivocation. Da Silva's motive is apparently to put down his opponent and make him out to be totally ignorant of the Hebrew Bible and an unrepentant devotee of the catholic Vulgate. Da Costa, kicking himself for having replaced at one point the third person *estará* by the first person *estarei*, and thereby having invited, as it were, da Silva's gambit, now chooses to parry with more equivocation.

3 According to da Costa's exegesis expounded in Chapter 2, the subject of the verb *to stand* is *my skin* (though it only appears in the next verse), which is taken by him to mean *my body* and then — by some sleight-of-hand — is equated with the scriptural *my flesh*. He therefore considers himself justified in saying that *I shall stand* and *my body shall stand* is all much of a muchness. Cf. our Introduction, 4.

that can only be said by an impious man such as he, an enemy of God. Because we fail to keep silent about the true interpretation of the word in question, he blames us for not respecting worldly wisdom. The Law forbids the favouring of persons in the process of judgement. This perverter of justice accuses people who in matters of the Law and divine truth straightforwardly state what they think, of not taking into account the respect due to certain human authorities.

Surely one cannot imagine a more immoral accusation than this one — an example to put before the eyes of that very same society with which he wants to ingratiate himself — one that so vividly sketches and paints the blind wickedness of these mischievous minds, these impudent snakes and vipers whom the prophet portrays as rebellious, refractory, thorny, scorpions [cf. Ezek. 2].

O you wicked man! Before whom are you accusing me? Would it be, perhaps, before the christian, and are you accusing me of not submitting to his interpretation? Well, the christian himself replies to you that since I am a jew, he cannot oblige me to submit to his interpretation. The most he can do would be to point out, provided he be equipped to do so, that my interpretation is erroneous. Are you implying that I have no right to diverge from the christian interpretation, though mine be correct (and please note that many christians understand this verse in the manner that I interpret it) and that only you have that privilege, though you spout out nonsense? For you claim that *the last*, of which Iyob was speaking, is God, Who is [elsewhere in Scripture] named “The Last,” and that it is He who will arise upon the dust, which is humanity. This interpretation is outrageous, because it does not fit the context. It could not have occurred to Iyob at this point to say that God would arise to judge the world, when the verses steadily harp on this one thought: that his skin and his crushed and painful body would still be upon the earth. There is nothing here about God standing upon *humanity*, which is how this false dreamer understands the verse, taking the word *dust* as a synonym for *the human species* and the word *last* to designate God!

Now let us turn our attention to his hallucination about the word *last*. He says that when it is not joined to the pronouns *mine*, *your*, *his* (O you dull and incompetent grammarian!), necessarily refers to an ultimate event which is not followed by any further one. With this in hand he comes to teach us, and claims that we have little knowledge of languages and grammar. (O what a wretched knight errant! Really he should leave the trade to those more competent than he, for all his adventures never result in anything except the stirring up of tumults and getting his head bashed.) Why should something which is called

last, necessarily be *final*, after which there is nothing more? Often something which follows is called *last*, relative to what preceded it. For instance, tomorrow may be the last day of something in relation to today, if today was the first day.⁴ Thus, when Ya'eqob says to his sons:

[...] Gather yourselves together and I shall tell you that which shall befall you on the last of days [Gn. 49, 1]

he does not mean on the very last of all days, after which there will never be another day, but rather *on the days which lie ahead*, that is to say, they are the last in relation to those which preceded them. Thus we read:

We will not conceal from their children, to the last generation [...] [Ps. 78, 4]

and:

[...] in order that the last generation, even the children that are to be born, may know them; they will arise and tell their children [Ps. 78, 6]

further examples of *last* as a relative rather than a superlative. The generation which follows ours is *last* with respect to ours which precedes it, albeit another generation will follow that next one, and so on.

Our knight errant has once again distinguished himself in battle!

Chapter 17

On the Book of Daniyel and Other Related Matters

In his Chapter 23, our adversary sets out to counter our challenge of the authenticity of the book called Daniyel. But he attaches no importance to its canonicity being rejected by the Sadducees. The latter he

⁴ The medieval jewish commentators discuss whether the word *'aharon* in Scripture is relative or superlative, esp. in relation to Ex. 4, 8; Dt. 29, 21; Haggai 2, 9.

calls renegades and heretics who are cursed daily in their liturgy.¹ It seems to us to be almost a law of nature that the many who err accuse the few who are most correct of holding the wrong opinion. Nor is this Pharisaic faction, full of pretence and falsehood, an exception when it calls those who come closest to the truth "renegades" and "heretics". If the Sadducees earned these names by forswearing the false traditions contained in the Talmud, then many of us are indeed renegades. But if the epithets "renegades" and "heretics" are more appropriately applied to those who reject the teaching and truth of the Law, inventing new legislation, then surely those saintly Pharisees, reputedly separated from the common people, answer the definition and are the real renegades and heretics who deserve to be cursed. And that this is in fact the case and that the exile and other evils that befell the people are due to them, may be readily surmised, seeing it was they who were in charge during the period of the Second Temple and the nation was judged and governed by them. So the curse written in the Law was fulfilled in them and because of them. And today it is not only they who suffer under this curse, but because of them, also, that minority of dissenters. Let us renounce, therefore, such abhorrent heretics who, having brought down the curse upon themselves in the first place, dare to pronounce anathema against people who adhere most faithfully to the Law. Let it not be said, however, that we defend Sadduceism unconditionally, because before obtaining a thorough knowledge of all its principles and doctrines, one cannot judge it. However, the information at our disposal suggests that the Sadducees did well to reject those vain Pharisaic glosses which undermine the Law and to condemn those false scriptures invented to provide confirmation. The Sadducees knew precisely how to tell true from false scriptures and they were sufficiently acquainted with the Pharisees to see through their wiles.

Still on the subject of the malevolence of these accursed cursers, I would never have believed how rabid and long-lasting it was had I not experienced it first-hand. When in years gone by I used to read Josephus' histories, I could never contain my amazement at the descriptions of those endless massacres, carnages, internecine strifes and hatreds which ravaged the political life of that miserable Republic. It

¹ The words *na sua oração* can be translated either by "in their liturgy" or "in his liturgy." We have opted for the former because da Silva described this formula (cf. our note 4 to da Silva's chapter 23) as one that is generally recited. By using "their" rather than "our," da Costa may be distancing himself from it, implying that his own *'amida* omitted this interpolation. On the other hand, the use of "their" rather than "our" may be simply a rhetorical device.

was Pharisaism that had sown the seeds of all that hatred; who could have failed to be provoked by the insolent, shameless and malevolent tongues of such impudent men? Could anyone have failed to be alarmed by their doings, however patient and long-suffering he might be? It had to end in rivers of blood. These people are so hard-hearted, that not even the long exile, wandering through foreign lands, unending hardships which befell them there, ever sufficed or could suffice to produce unity and agreement among them and to stop them from harming one another. It would appear to me that their malice goes all the way back to those brothers of old, that pack of wolves who, oblivious to all human feelings, conspired to contaminate and stain themselves with the blood of the pious, innocent and gentle lamb who had come wandering through the fields to see how they were faring [cf. Gn. 37].

O false Pharisee, false accuser, false traducer, the blood spilt until now is little in your eyes; you wish to spill more and you are thirsting for mine! I dare you to fix a date to meet me on the field! There let us kill each other, after signing acquittances stating that no one is to avenge our death! But do not go around like a cowardly little dog, barking at people on the streets! On the field you shall find me more courageous with my hands than I find you with your mouth!

Let us return to the lucubrations of our knight-errant. He claims that the seventy scholars who translated the Bible into Greek, illuminated by the divine spirit (you are a liar! for by that time prophetic inspiration had ceased: they were plain Pharisees like the others), introduced in the 24 books which now make up the canon certain corrections and scholia they believed to be necessary. Well, if that is true, no further proof is needed to show them up. For you cannot have it both ways. Either the 24 books which you claim to believe in, are genuine and well written, or they are not. If they are, then the seventy scholars who modified the genuine well-written scripture were perfidious counterfeiters.² If, on the other hand, the books were not genuine and well-written in the first place, then you are admitting that at one time books were declared canonical which were not genuine but stood in need of emendation and improvement. So much for those books

² The seventy (or seventy-two) scholars never tampered with the biblical text, nor could da Silva have made such a claim. What da Silva meant (albeit he expressed himself quite clumsily) was that their emendations were introduced in their translation. ("[...] when the 70 scholars translated these books [...] they introduced certain changes and glosses they believed necessary [...]"). In view of this fact da Costa's argument loses its force.

of which only you recognize the canonicity. From the foregoing demonstration it ensues that those books — or those parts of them — whose canonicity were never recognized by the Sadducees, simply fall into the category of Pharisaic books, deserving neither of credence nor of recognition.

Next he asks why should the resurrection not be limited to a certain group of people, as we find in the Book of Daniyel, and why should those masses of humanity who neither favoured nor illtreated Yisra'el or were perhaps even unaware of Yisra'el's very existence, be raised from the grave? Would it not be sufficient, he goes on to ask, if those tyrants, persecutors and Inquisitors who devastated, persecuted and murdered Yisra'el came back to earth and re-entered their bodies for a spell, to undergo infamy, insult and opprobrium?

Forsooth all the fantasies dreamt up by our adversary and his band are like bad jokes which people tell each other to while away the time. Were he consistent, he should have said that anyone can proclaim himself a prophet and declare that all those who harmed members of his own nation must be thrown into a cauldron and simmered on a low flame! Were we to believe our adversary there are no sins in the world that count, save those committed against Yisra'el! Ones committed against other people — even cannibalism — so long as they were not injurious to Yisra'el, do not justify the return of their perpetrators to earth to receive their due.³

O you monstrous, blind and miserable sect, do not complain about the tyrants of this world, do not complain of the Inquisitors! Complain about yourself, who wish to transgress and break the covenant which you made with God and then wonder why He sends tyrants and Inquisitors against you! And be sure that if there were a lack of these, there would still be enough snakes around to bite you, as they bit your ancestors in the desert. Rest assured that the tyrants of this world and the Inquisitors will be given their just deserts. God knows how to judge them, whereas you know nothing. These oppressors about whom you complain learned from you and with them God is paying your teaching. The rest of what you say concerning people resuscitated and embodied for a while because of the demands of reason, simply exposes your

3 Da Costa misrepresents his opponent when he implies that according to him only sins committed against Israel count. What da Silva actually said was that reason and justice demand that the soul of those who harmed Israel must receive — in addition to the posthumous punishment in the hereafter undergone by all wrong-doers — a well-publicized punishment here on earth in full view of that (resurrected) people.

unreason and your foolishness. Return to God as you are obliged to and He will remove from you the snakes which bite you, the tyrants and the Inquisitors!

What you read in my quires about this book which you call Daniyel seems not to have hit home. Far from it. (Not only does your churning out apocryphal books continue unabated, you have, in addition, embarked on a new business of miracle production — proclaiming child prodigies as prophets.) Therefore, since my earlier attempt failed, I must discharge my critical volleys full blast and do not say you did not ask for it. Are you not ashamed of those ignoble myths contained in that book of yours, such as the one about Nebukadnezar spending seven years among beasts, eating grass, bereft of human reason (his *nesama* must have taken a walk for a spell), after which he was restored to his former state and power? Now since this benighted wretch did not lose his human semblance while he dwelt among the beasts, you could at least have assigned him a place in his own stables, among his horses, rather than making him graze in the open air day and night. This and similar idiotic stories are to be found in that book filled with your spurious additions. Never do you miss a chance to spin some fabulous yarn, if only for the purpose of securing and reinforcing one of your irrelevant remarks or thoughts.

No less fictional is what you write in the book which you call Esther, that the king gave permission to the jews to go out and massacre people in the streets of various cities, and those other stories of a similar nature. Abandon your fancies, you impious fabricator of lies! Let those who would quench their thirst for truth not seek it with you, but rather search for another, cleaner, source, where they will drink better waters.

While on the subject, we should like to point out that the Sadducees — to give them their name⁴ — nowadays spread out through many parts of the world, never experienced in the lands of their dispersion an Inquisition or its tyrannies; a sure sign that they were and are not implicated in the crimes of the Pharisees, for which the corresponding retribution — measure for measure — is that they are punished by men who, like themselves, twist, distort and falsify Scripture.⁵

We almost forgot to reply to a terrible accusation made by our adversary, to the effect that our claim concerning his theory of resurrection in messianic times is false, since Pharisees do not connect the

⁴ Da Costa must mean the Karaites, of whose existence he is apparently aware, but whose name he does not care to mention.

⁵ Cf. this "Providential" explanation of the Inquisition with the quite different one da Costa gave *supra*, chapter 14!

resurrection with the advent of the *masiah*, but rather distinguish between the two events. He concludes by saying that the resurrection will occur at the end of the days of the world, which is tantamount to saying that it will never happen, for the world will never come to an end. Our deceptive adversary believes his Pharisaic ideas to be arcane and esoteric. He does not seem to realize that they circulate in writing and are readily accessible to anyone who cares to acquaint himself with them.

To really show him up we need only note that he himself, in his Chapter 22, applies Yesa'yahu's verse "Thy dead shall live" [26, 19] to the resurrection which will take place after the people of Yisra'el is redeemed from its captivities. Thus, in Chapter 22, the resurrection is consequential to the coming of the *masiah* and unrelated to "the end of the days of the world," unless he means that the world will end when the *masiah* comes. The man continually contradicts himself; there is no solidity to anything he says. As to the length of life that accrues to the revived corpses, the kind of death they will again undergo, the state of the world after the coming of the *masiah*, all these are bedtime stories we do not care to repeat. There is nothing noteworthy about them except their prodigious volume. When he asserts that the sages did not discourse upon matters so esoteric, he gravely slanders those saintly sages who by dint of their speculative talent did penetrate the occult. That constituted their glory, which he, just this once, deprives them of and denies them.

Chapter 18

*Concerning what our Adversary Says about Metempsychosis,
and Whether there is an Obligation to Undergo Martyrdom
Rather than Commit Idolatry*

In his chapter 24 the scoundrel treats of his faction's doctrine regarding the transmigration of souls. He says that this was one of those lofty and esoteric matters which the saintly sages concealed (here at least he grants that they enquire into secret and occult matters ¹) and

¹ Obviously da Costa is here reminding da Silva of his inconsistency, for in the last paragraph of his chapter 24 the latter wrote "the Pharisees do not dabble in secrets of metempsychosis."

wished to restrict to an elite able to receive them and plummet their depths. Not satisfied with exuding such nonsensical, barbaric and pagan ideas, these people's shamelessness extends to dubbing them "lofty and esoteric," whereas in truth no doctrine can be sound if it is ashamed to show itself in broad daylight. Nor can there be any soundness in that other temerarious system of theirs, which claims to provide ways and means of investigating and approaching the divine essence — a realm totally removed from human ken and far beyond its grasp. So that is why what they call discoursing upon these mysteries turns out to be nothing but gibberish, and why — as such — that system dares not proclaim itself openly but is transmitted only in whispers. Far better for all were it completely inaudible!

Watch where the discourse of this transmigrated soul of Atlas who bears the world on his back leads him! Not content with being the link between earth and heaven, which he already carries on his shoulders², our adversary now says that he would also like to be the buttress that sustains the crumbling wall surrounding the mystery of the souls — broken and penetrated by intruders — to prevent its collapse. This is because he is so deeply affected at the thought of such esoteric matters being bandied about by ignoramuses. I dare say I have never come across so thick, so dull, so insipid, so dense a beast as he, and yet he sets himself up as a sage and as a sage proffers advice. O transmigrated soul — you can keep your bestial transmigrations, but do not pretend that I said that it is in order to make amends that your soul will have to be introduced into a cow! You do twist everything and understand it in your own peculiar way! The soul is placed in a cow to do penance, as I comprehend the Pharisaic teaching, but a second chance to make amends is given the soul by sending it back into another human body. And do not make such a big issue of my quoting your sages to the effect that this is why a cow is slaughtered compassionately. The absurdity was to put the soul in the cow in the first place! Once it is in there, it is right and proper that the sages should order the slaughtering to be done with an extremely sharp knife. The other hidden reasons — by which you place such great store — for slaughtering animals in a certain way (forsooth cutting an ox's throat must indeed contain some great mystery!), you can have them and keep them, for they make up just your kind of wisdom. As to what you say about souls coming into the world with regret, leaving it again with regret and with regret giving an accounting of themselves to God (in respect to the in-between regret

2 Cf. da Silva, chapter 1.

is where you come closest to reality), I think you are quite right. That is precisely why your whole soul is so regrettable: regrets inside, regrets outside: you are altogether one big regret.

Since you mention a piece of advice you gave me (I do not remember your advice, neither did I ever appoint you my mentor, nor did the matter on which you claim to have advised me require advice), let me tell you now how different was the one I gave the members of your band when they wanted to inflict their excommunications, or their mischief, upon me. I counselled them to desist because those methods would get them nowhere; and that while what I was claiming was no doubt terribly distasteful and weighed heavily upon them, nevertheless they should ignore it, go their way and let me go mine; and despite their aversion to polemicize on these matters, they need not try to squelch general free speech. This, between you and me, was a fine piece of advice. But your pack of rascals — and most of all your intimate clique which was inciting the youth with its cant — carried away by blind hatred, rejected all my arguments, thinking that I was not to be taken seriously. What your gang did not know is that I am not one to retract truths nor was I brought up to lie. I am not two-faced: if I have a Law, I observe it; if I have no intention of observing it, I do not go around saying I have a Law.

Our adversary proceeds in his Chapter 25 to say that the Holy Land pardons the sins of the people and for that reason the righteous laboured to secure their burial there. (One of these days he will make relics of Holy Land soil and order people to kiss it and carry it round their necks!) The text he adduces to prove his assertion reads:

[...] and shall forgive His land, His people [Dt. 32, 43].

He claims that this verse settles the matter. Indeed this verse is decisive, but it does not and could not be saying what he is making it say.³ What it does say is that God will ultimately take pity on the desolation of the land and on the people. How can one put up with rogues who blatantly distort Scripture in this way? Anyone else would give up at this juncture.

³ It will be recalled that according to da Silva (cf. his chapter 25 and our note 3) 'and its soil will forgive its people' (Dt. 32, 43?) "asserts the great advantage and superiority of the Holy Land."

In the same chapter he maintains that the services and memorial prayers held for the dead are a pious and excellent exercise, and in support of this he adduces a legion of absurdities and puerilities on which it would be useless to waste time. The dead are impure before the deity and sacrifices or offerings made on their behalf, abominable. This manifest truth could be backed up by many places in the Law and the rest of Scripture but, as I have said, I prefer to conserve my energy for a better cause. We do not find that 'Abraham, Yishaq, Ya'aqob or any worthy ordered a lamb to be sacrificed to God after his death or that some orison be recited for the repose of his soul. The first we read of this invention is in the Book of Maccabees, written at a time when the Pharisaic sect — the source of this superstition — was in command. Quite rightly many nations of christendom have now rejected and condemned it and by doing so they distance themselves from humanly devised rituals and come closer to the truth of Scripture, which is unaware of such fables and, in fact, impugned those who ate of sacrifices for the dead [cf. *e.g.*, Dt. 26, 14; Ps. 106, 28] and slept in the vicinity of graves [cf. Is. 65, 4], all barbaric and pagan customs. The Law forbids giving of the tithe or anything consecrated to God to someone who touched a corpse; how much more would the Law oppose newly consecrating to the very deity anything on behalf of the corpse itself.

In his chapter 26 he goes to great lengths to persuade us — quite superfluously — that it is meet and proper to abase oneself before God for one's sins. Surely even children — novices to the study of the Law — know this. Besides, it has no real bearing on what we were saying. More to the point is his next assertion, that one is duty-bound to undergo torture and death rather than commit idolatry. This assertion, however, cannot rest on the Law, which contains no such precept. He cites the command to love God with all our heart and soul, but this does not support his case. Rather could one derive thence the opposite argument, because to love is an action of a living person; the dead cannot love. It follows that if human beings are commanded by the Law to love God, they must live. And while it is true that committing idolatry is an act contrary to the love of God, one must consider the difference which exists between a free act of the will and an act done under duress. For if I commit idolatry of my own free will, I show thereby that I have given up that love, but if I am being forced to commit idolatry on pain of torture and death, it cannot be claimed that I have renounced a love rooted in my heart, even though in the face of evil the root remained invisible. Consider the case of a wife captured by the enemy and threatened by death. Whatever happens under such circumstances, she

is not guilty of adultery, whereas being free, an act of unfaithfulness to her husband certainly would constitute adultery.⁴

That God does not require human beings to give up their lives is confirmed by the Law:

And now, Yisra'el, what doth the Lord thy God ask of thee? [...] [Dt. 10, 12].

Little does the Lord your God require of you. He does not ask for your life, that you deliver yourself up to the pyre and to torture. To walk in His ways is what he asks you. The Law was given for human beings to live by, not to die for:

[...] in order that thou mayest live [...] and thy children after thee [...] [cf. Dt. 4, 40].

The tribulations described in Psalm 44, 23, which he cites, do not contradict this principle. Far from having been undergone voluntarily, their suffering was brought on by sins; suffering being the inevitable consequence of sins, as is foretold by the Law.⁵ The martyrs of our own times do not die affirming their faith in God, but denying Him.⁶ Nor is it in their power to deliver themselves from death, whereby is demonstrated God's judgement, as we said.⁷ And if — as the adversary would have it —, those executed persons were under obligation to affirm their faith in God at the supreme moment, and through failure to do so supposedly incur a greater punishment hereafter, then all I can say is woe to the souls that expired there, which could not be

4 Cf. the Talmudic discussion on this question (B.T. Sanhedrin 74b).

5 Just how da Costa extracts this forced interpretation from Psalm 44, 23 ("for Thy sake we are done to death all day") he leaves the reader to work out. Could it be that to explain away the words "for Thy sake" defies his exegetical capacities?

6 Da Costa has no doubt in mind the well-attested fact that those victims of the Portuguese Inquisition who confessed to having at one time professed belief in the Law of Moses were not executed. The great majority of those who were executed, died affirming their uninterrupted faith in christianity. Da Costa, however, here ignores those martyrs who were burned alive as "confessed adherents of the Law of Moses in which they wished to die and to which they looked for salvation." Cf. H.P. Salomon, *Portrait of a New Christian*, Paris, 1982, 22-32, 199.

7 Of course, another inaccuracy. Cases — albeit few — are known of victims about to be executed for persistently denying the Inquisitorial charges of judaizing, who by an eleventh-hour confession of past "lapses" into judaism, escaped execution.

induced either by the hope of future weal or the fear of posthumous punishment to undergo that additional bit of suffering.⁸

If one were to ask whether he does well who, rather than commit idolatry, delivers himself up to torture, we reply that he will have performed a great feat of courage. But seeing that God did not require this of him, nor obligated him in those terms, his recompense will be the memory of his feat among mankind, for God was under no obligation to pay him for it. Like a wife who would choose death rather than submit to vile and alien possession. Yet we see that 'Abraham and Yishaq valued their life more than their honour⁹ and this is the teaching of the Law, which first forbids killing, then adultery. To be sure, outside of the danger zone, all are valiant and resolute but, when the chips are down, the most dauntless cringe. Taking the sword in hand and engaging in battle with the enemy is quite unlike submitting one's neck and one's body miserably to the cruel and bloody executioner: a punishment visited upon one by God for sins one has committed.

Thus we are attempting to answer a well formulated question put to us by this fellow: what is the use of being jews if, when threatened by death, we yield to idolatry? We reply that there is no sin in not giving unto God that which He did not require of us. And for all that I am quite convinced that the author of the question — I am not saying at the prospect of death, but at the slightest intimation of a flogging — would unhesitatingly recite the whole litany imposed upon him. Were I to find myself in such a situation, I do not know how I would react, for in this respect even I do not know myself sufficiently.

So now that we have answered his question, we should like to ask him one in turn. We should like to know why he does not observe the Divine Law to which God obliges him and forsake the false doctrine of monstrous human beings who no longer have canes with which to beat him nor rocks with which to stone him even if his adherence to God's Law would provoke them into wanting to do so? Why is he so

8 The "additional bit of suffering" is no doubt an allusion to the Inquisitorial practice of burning alive steadfast adherents to the Law of Moses, whereas those who were executed for not admitting past "lapses" into judaism were killed by garrotting and only their corpses were consigned to the flames. This allusion shows that da Costa was well aware of the option to be a martyr to judaism, which makes it all the more astounding that he ignores those who chose that option.

9 Cf. Gn. 12, 11-16; 20, 2-13; 26, 7-10.

much keener on dissembling in their company and toadying to them, expecting his recompense from them, than on following the path which God wants him to follow? And why, professing the observance of the Law, does he swindle and deprive himself of its divinely promised reward, by withdrawing from it and wandering elsewhere?

Finally, we ask of his whole fraternity: Why do they not return to God and why do they allow themselves to perish in foreign lands? And, since they were given a Law, why do they not know how to hold it fast and reap its fruits? There are no canes, there are no rocks, there is no death penalty; yet other false considerations by which they allow themselves to be swayed and overcome are of greater weight with him and with all of them than the words and exhortations of God. And because God's words count for so little with these people, these people have so little weight with God.

Chapter 19

In Reply to the Adversary's 28th

This blind man, so deceitful and wicked, repository of malice and all abominations, duper of dullards and ignoramuses, who thinks he can acquire fame and earn his bread through trickery — fame among fools and bread from the same — says that he who habituates himself to lies and false opinions, will gradually come to adopt them as truth, without repugnance or perturbation. Yet he fails to see his own unhappy, yea miserable state! He is that very vessel which has collected all the poison, lies and falsehoods of centuries. And since he is so accustomed and inured to them, his stomach is averse to everything else and any digestive activity which is not eating poison and gobbling up lies will cause him to vomit.

O deceitful, wicked man! I do not justify myself before God, as you claim, nor do my words — which are only intended to demonstrate that God does not forsake any person who has recourse to and turns to Him in trust — signify any such thing. But who can prevent your crooked tongue, which is totally unacquainted with the straight path of truth, from twisting and falsifying, for that is its refuge and fortress!

You say that I am hated and abhorred even by my own brothers. Let it be as you say and worse, and let us suppose they sell me into Egypt: who do you think was better, Yosef sold, or the sellers, his treacherous brothers? You are so ignoble, base and vile that you condescend to comment on attire! God knows that in deference to your and your henchmen's malice I adopted a wardrobe out of keeping with my own preferences (for I know what suits me best), but this in no way spared me your evil tongue.¹ Were I now to dress modestly, you would go even further with your falsehoods, pointing to my humble appearance as a sign of divine disfavour. If I dress decently, you say that I am showing off my prosperity.²

O viper! may God cause the itch which afflicts your body, to spread to your tongue! You say that the elephant, the lion and many other wild beasts are much better off than humans. Since that is how you show your gratitude to God, may wild beasts devour you! Surely a malicious, kicking mule such as you is not entitled to a good life and an easy death. Who ever heard of anyone so churlish and impudent as to claim that a horse, because he eats his fill of grain and straw in his owner's stable, is better off than his owner, who feeds, bridles and rides him? In short, you were unworthy of your human condition. And, since your existence is such that the endless evils you suffer in this world are, as you say, incapable of mitigation except with the hope of future weal (and, consequently, were he to have his fill of weal here below he would be satisfied with immortality in this vale of tears!), do petition God to change your condition and to relegate you to the status of brutes. You will lap up blood to your heart's content! And if your petition is not accepted, go and hang yourself; you will relieve your suffering soul. I say that you will lap up blood because that is the food of wild beasts, whose condition and state you envy: honey and butter you will not eat, because they would be tasteless to your palate. Not for the likes of you all the goodness which God created only for humans and did not allow other animals to enjoy. Not for your eyes to gain satisfaction from the contemplation of creation: heavens, sun, moon and stars, earth and all its splendour. Your ears will not be delighted with the natural music

1 The allusion is probably to sumptuary laws adopted by the Hamburg Sephardic communities, of the type known to us from Amsterdam, e.g., the "Termos e Asento que se fez sobre a Reformação dos Trajes" of 2 Tebet 5407 (December 10 1646) (Amsterdam Municipal Archives, Portuguese Archive 19), published by M. Cadafaz de Matos and H. P. Salomon in their introduction to David Franco Mendes and J. Mendes dos Remédios, *Os judeus portugueses em Amesterdão*, Lisbon, 1990, 27-29.

2 Uriel seems to be telling us that at one time he conformed to the sumptuary laws, but after his separation from the community he reverted to gaudy attire.

of little birds and the artificial music of human composition. The sweet scent of perfumes will not penetrate to you. You will say goodbye to soft, dainty and freshly washed bedclothes and wallow in manure or among thorns of brushwood. You will lose dominion over other creatures — a supremacy you scorn and do not deserve — and become their servant and slave. In a word, God will strip you of that light of reason which you were given to enable you to know Him and praise Him for His gracious bestowal of unearned favours. You will be reckoned among the toads, exempt and free from sorrows — that is, until someone treads on you, squeezing out your venom onto the ground.

Go ahead, o enemy, oppose God! Join the council of the wicked in their endeavour to undermine and vitiate the force of His Law! Rub sand into the eyes of the ignorant people, blind them with your confused cant and quackery! What you are really doing is to betray them, aye and yourself too. But the harvest of your treason you will be sure to reap, as indeed you are even now reaping it. As for my own life, by spending it out of reach and out of sight of you, it will be agreeable, which it could not be while I was in your company. With this I am done responding to you.

We are not going to deal with that counter-faith, which our adversary claims to be derived from Tradition — and which stands in opposition to the written Law — nor with the proofs which he adduces to back up his delusions and falsehoods. As already stated, we do not wish to waste time on recalcitrants who stop their ears, defiantly pursuing their prejudice. Truth they trample underfoot, falsehood they receive and love.

Neither do we wish to deal with their method of calculating the months — all fictions, distortions and false assertions. We wish merely to put forward one example, easy to understand and which will be clear to any person of limited intelligence. This done, we shall leave them to spin yarns or to please themselves in any other way.

In the year 5382 [1622] the new moon appeared on March 12 at 5 o'clock in the morning. The same day the New Moon was celebrated and numbering of the days of the month began accordingly, leading up to the Feast of Unleavened Bread and other feasts which depend on that reckoning. The next year 5383 [1623] the new moon appeared on March 30 at eleven o'clock at night and the numbering of the days began on the first of April. This year 5384 [1624] the new moon appeared on March 19 at 4 o'clock in the morning and the month began to be counted on the 21st. Thus we see that in these three consecutive years three different systems were observed: once the month began to be counted from the first day of the new moon's appearance, once from the second, once

from the third. Let these people now call in a prestidigitator who with the refinement of his art will make us believe that these three systems are one and the same and that there is no variation or alteration from one to the other. Or let them have the shamelessness to assert — as they do — that they had authorization for everything and that the Law left it to their discretion to designate the months and the days any way they see fit.

Chapter 20

*Wherein is Shown that the Doctrine of Immortality,
which Posits Eternal Weal and Suffering, is not Pious,
but the very Opposite*

Having carried our refutation to the extent necessary to confound that enemy of the truth, we shall use this last chapter to survey some of the great improprieties and abuses which attend the doctrine of immortality. Some say it is pious to believe that souls are immortal and that human beings can look forward to another life, good or bad, according to the merits or demerits earned in this one. We, on the other hand, contend that it is sacrilegious to hold such a belief. We shall now proceed to explain why.

Consider the following account and ask yourselves whether it is an example of pious thinking or whether it contains elements contrary to piety: 'Having been raised in the belief of eternal retribution in the hereafter, some human beings found themselves in a state of anguish and despair. Seeking a means of escape from that overwhelming prospect, they approached God and pleaded with Him to be the satisfaction of their sins. They said to Him that it was beyond their capability either to pay the price of sin or to cease from sinning and so it was impossible for them to observe the Law.'¹ Surely this account speaks for itself.

¹ The missing link between incapacity to eschew sin and incapacity to observe the Law, may be found in Pauline theology. ("Some human beings" is, very likely, a designation for Paul.)

The Pharisees, as already indicated, had recourse to metempsychosis, invented various kinds of purgatories, all of which foolishness proceeded from that very same motive, that is to say, the need to alleviate the anguish and pain caused to human conscience by the image of eternal punishments. It was because of the place this image occupied in the popish religion that Luther was prompted to call that religion sanguinary and a torturer of consciences. Yet he left humankind without a remedy, because he did not accept the validity of a salvation obtained through the free will of each individual. Nor is there any piety in the thinking of the Pharisees. How are hallucinations and delirium to pass for piety or how is the mixing of frivolity and childish fables with God's clear doctrine to be called anything but impious?

What makes the impiety of this doctrine even more egregious is that it attributes to God a cruelty it would not impute to human beings. For it proposes that God chastises with eternal suffering the kind of misdeed for which kings or earthly judges would consider a punishment lasting even a day to be one of great severity. Imagine a killer who was also a highwayman, adulterer and perpetrator of every conceivable crime. An earthly judge considers a death sentence involving long drawn out torture too severe and is satisfied with having him executed in some way proportional to the acts he perpetrated, but which will not seem cruel and unnatural, considering that just as nature abhors a crime, it abhors cruel punishment.² So how dare human temerity attribute cruelty to that God Whose title is "long-suffering and abundant in mercy," Who declared that it grieved Him to punish perverse and evil humanity as in the days of Noah by a temporal

2 Da Costa fails to inform us how such proportionality is to be measured and just what kind of death sentence he considers to be "natural" rather than "cruel." It will be remembered that in (1624).I.5.2-3 he classifies burning alive at the stake a "common and ordinary" method of execution. On the other hand, when one recalls the cruel death sentences involving protracted torture and atrocious mutilations inflicted by Western European tribunals notably on regicides and parricides, da Costa's unqualified generalization concerning the benignity of earthly judges is inexplicable. The question, of course, is not really one of "benignity" versus "cruelty." In the course of time European tribunals came to the conclusion that it is impossible for any punishment devised by them to satisfy human standards of justice. For instance, however protracted and painful may be imagined the execution of the murderer of even one human being, it does not remedy the victim's death. *A fortiori*, human justice cannot cope with crimes against humanity on an extraordinary scale, because the perpetrators' lives are not long enough nor resistant enough, to undergo the punishment they truly deserve. That is why — and not because of any supposed humaneness or benignity — in the 20th century identical punishment is meted out to the murderer of one as to the mass murderer.

chastisement and promised never to treat mankind this way again? How is it possible — without grievously offending His infinite goodness and mercy — to entertain the thought that God would have created humankind and then predestined to salvation just a small minority and to damnation the immense majority and, what is more, relegated all these lost and damned people to hell, traditionally depicted as a place where miserable souls suffering unbearable tortures unleash their tongues against their Creator, uttering ceaseless blasphemy instead of praise? I leave aside the great error which consists in imagining or conceiving humans — finite creatures, whose creative and destructive powers are very limited — to be capable of performing any work excellent or diabolical enough to merit infinite recompense.³ Justice does not compensate beyond the merits or demerits of an act. Thus, by the criteria of justice, no human being can lay claim to never-ending reward for his works, just as there is no human being to whom eternal chastisement or penalty could ever be owing. Of course, what has been said so far appertains only to earned remuneration, not to an act of grace whereby God may elect to grant eternal bliss to human beings. For grace is free of that necessary correlation between human effort and its rewards inherent in justice. But where is the evidence that God did indeed undertake to bestow such an act of grace? Since reason does not attest to it, the only source of evidence would have to be God's revealed word. But lo and behold, we can find no such word in the Law among the many promises which it does proclaim and contain! So much for bliss which God gives or might give through an act of grace. As to sufferings — if we accept that human beings are not capable of committing an act which deserves eternal retribution and therefore cannot, by the rules of justice, be subjected to infinite punishment — we must reject out of hand any idea of undeserved sufferings being arbitrarily inflicted by the Deity, because that would be the very contradiction of justice.

The doctrine of immortality has yet another impious consequence. It fosters contempt for both earthly weal and earthly woe, by means of which God desires to inculcate either love and admiration or awe in His creatures. For when the human being contemplates infinity, anything finite — however enormous — he holds in low esteem, yea, considers paltry. What importance can be attributed to our present

3 While one cannot fault da Costa for not foreseeing the scale of unspeakable atrocities perpetrated during our century, the excesses of, for instance, the Portuguese Inquisition, of which he could hardly have been ignorant, seem here to be minimized.

existence by someone who is convinced that he will be vouchsafed another and better one? Is it surprising that people may be found who, thanks to the false supposition furnished them by their deceitful religion, have no scruples about murdering princes and lords of the realm, in fact, believe that by doing this they earn salvation and, for the small price of a brief spell of suffering, are on their way to eternal glory?

This false doctrine, besides breeding scorn for life and its blessings, by the same token teaches its followers to despise present suffering through contemplation of future bliss. Instead of putting the world in order all it does is bring about endless disorder and confusion. So far from inspiring fear of God, this doctrine takes it away because — as stated above — the majority of human beings will look for ways and means of evading the overwhelming threat of eternal torments. Once they rid themselves of the fear of other-worldly suffering, they are no longer afraid of present ones, thanks to their expectancy of future weal. They say that God gives suffering in this world also to the righteous and there is an end of all their fear. If, on the other hand, human beings would take stock of their true condition and realize that this life is given them by God to live to the hilt and that their bliss consists of making good use of it and meeting an easy death; and that both things, *i.e.*, to live and to die well depend on their works which God sees and recompenses according to their merit — considering how great is human self-love and people's natural tendency to seek their own weal —, then it would be impossible for them to leave off seeking for Him with all their might. They will find rest in conforming to God's will and stand in fear of Him.⁴

But we assert that greater prosperity and hardships than are to be found in this world are unnecessary for subordinating human beings to the fear of God. For even if future weal or hardships were a considera-

4 The author makes a boundless leap from "looking for ways and means" to the assumption that these have been successfully found, in fact so successfully, that they cancel out and obliterate all lingering misgivings that human beings might ever have entertained concerning torments that awaited them beyond the grave. Since the fear of hell has — for all intents and purposes — totally lost its sting, the reader would have expected room to be found in people's consciousness for fear of this-worldly retribution to assert itself; but now he says that no one who believes in immortality takes hell seriously. To confuse us further, he adds that another cause for the depravity of human beings is their perception that God gives suffering to the righteous and the wicked alike — a perception independent of a belief in immortality. In a way da Costa is undermining his own argument. Such tortuousness makes the rest of this paragraph difficult to follow.

tion, human beings are regularly more influenced by here-and-now ones than by far-off ones. The only thing that deceives them is that they do not see punishment forthcoming at the precise moment they sin. If they saw that, all human beings would appear before God with trembling, as one trembles before an earthly king whose castigations follow hard on the heels of the crime.

So let this miserable fellow be disabused; even if he does not hear the voice of God sentencing him to hang, in the way that he would hear a sentence pronounced by an earthly judge, let him but pay heed and he shall know that his sentence as been decided on high and though the mills of God grind slowly, yet they grind exceeding small.

From what we have submitted it transpires that there is no piety in positing eternal weal and suffering for mankind but rather impiety, contrary to divine goodness and justice. The weal and hardships of this world, to which God refers in His promises, are adequate and proper for preserving man in the fear of God. May all nations bow down to Him and praise His Holy Name for ever and ever. Amen.

E N D

Because in the course of this book we have several times mentioned the world's eternity and the permanence of the human species, a brief discussion of these matters seemed fitting.

Q u e s t i o n

It is Asked whether the Heavens and the Earth will Cease and whether God will Make an End of Creatures or whether, on the Contrary, Everything will Go On Forever.

We Reply that Everything will Go On Forever and God will not Put an End to His Creation

[1.] This is proved in the first place by God's covenant made with Noah after the Flood whereby God promises humankind and every living creature that He will not pronounce another total judgement on them, as He had done. His decision is motivated by the consideration of the corruption and evil inclination of the human heart:

[...] because the imagination of the human being's heart is evil from youth, and I shall not again kill every living thing, as I have done [Gn. 8, 21].

This motive functions as a further confirmation of the promise, because the very wickedness that could be the cause of a renewed provocation of divine displeasure and a reawakening of God's anger — possibly leading up to the final destruction of a creature whose heart is so evil — is taken by God as a reason for having pity on that creature and not destroying all life because of it. The promise is further confirmed because, to show its permanence and immutability, God adds:

Henceforth, all the days of the earth as long as the earth lasts: seed-time and harvest, and cold and heat, and summer and winter, and day and night shall not cease [Gn. 8, 22].

'As long as the earth exists there will be no lack of humans to cultivate it and all things will maintain their appointed course previously followed.' The words "all the days of the earth" are rhetorical and not meant to suggest that the earth's days are finite and will ultimately come to an end, an idea which is entirely foreign to natural reason and to Scripture itself, as will be shown further on. Rather does it follow from this declaration that God will not hold another universal

judgement as He did in the days of Noah. So the thrust of the verse is that there will never be another universal judgement involving the extinction of all species.¹

2. It is proved by a verse in the Law which says that God's promise to the patriarchs is valid forever:

In order that your days may be multiplied and days of your children, on the land which the Lord swore unto your fathers to give unto them, as days of the heavens over the earth [Dt. 11, 21]².

3. It is proved from Psalms:

Praise Him ye heavens of heavens the highest heavens and ye waters that are above the heavens. Let them praise the name of the Lord, for He commanded and they were created. And He established them for ever and aye: He gave a decree and it shall not pass [Ps. 148, 4-6].

'God created the heavens to be without end and gave a decree and a privilege, an inviolable and immutable decree, a statute without limitations':

Thus saith the Lord: "If My covenant not {were not; were not to last; were not enduring} with the day and with the night, ordinances of the heavens and of the earth I had not appointed. Then also the seed of Ya'aqob [...]" [Jer. 33, 25-26].

Thus 'the day and the night, the heavens and the earth were established by God's irrevocable decrees to exist and endure without end, without interruption or undergoing the slightest change in their appointed order'.

This can also be shown from many other verses in Scripture:

He founded the earth upon her bases; it shall not slide to all eternity [Ps. 104, 5] [...] also the world shall be firmly established; it shall not slide [Ps. 93, 1].

1 This last sentence is tautologous, perhaps to compensate for da Costa's failure to convince his readers (and himself, no doubt) that the expression "all the days of the earth" is really amenable to his theory.

2 The absence of any commentary by da Costa on this verse is telling.

From all this it is clear that the heavens, the earth, the world and its creatures, all were made to last eternally, as reason also teaches, and they will never be destroyed.

The authorities who are cited by some to prove the contrary do not really oppose our thesis, provided they are understood in an adultlike rather than in a childlike fashion. Surely it is pure childishness to accept texts at face value, and without regard to context. These opponents adduce Psalm 102, verses 27-28, which say that the heavens will wear out and perish and that God will replace them as one changes a garment. Were they to consider the Psalmist's intent it might facilitate their comprehension. Instead they indiscreetly fling bare, nude words at each other. One should realize, first of all, that this psalm is entitled "prayer of the afflicted." Its author depicts his anguish and miserable state, imploring God to pity him. He uses as an argument the vanity of human life, contrasted with the eternity of the divine essence. To make his point even stronger he declares that even if — against all possibility — the heavens were to perish and cease, still the eternal Divinity will always remain the same and Its years will never come to an end:

He hath weakened on the way my stronghold; He hath shortened my days. I will say: "O my God! make me not go up in the midst of my days, throughout all generations are Thy years! In olden times didst Thou lay the foundation of the earth and the heavens are the work of Thy hands. These will perish and Thou wilt exist and all of them will wear out like a garment; as a vesture wilt Thou change them and they shall be changed. And Thou the same and Thy years will not end" [Ps. 102, 24-28].

'My days, O Lord, are limited; You, on the other hand, are infinite; truly infinite and truly eternal, for You are the Creator of a work so mighty that its majesty misled many into believing that it never had a beginning. And, being its executor, You are capable of changing and transforming everything from its present state (of course He will do no such thing), yet You are immutable, ever One, without alteration or change and Your years cannot end.'

Here, then, we have the natural and true meaning of these verses. Their style is quite common in Scripture, as for instance:

The waters shall run off from the sea and the river shall become dry and dry up. And man lies down and shall not rise [...] [Job 14, 11-12].

'Water will be lacking in the sea it might come to lack, although it is inconceivable that such a thing should happen, yet the man put to sleep in the pit will never rise again':

Shall a woman forget her suckling child [...] yet shall I not forget Thee [Is. 49, 15].

'It is highly improbable that she should forget and completely reject it and refuse it her breast, but, far beyond this improbability, it is impossible that I should forget you'.

Those who argue against our thesis adduce:

For as the new heavens and new earth, which I make stand before Me, saith the Lord, so shall stand your seed and your name [Is. 66, 22].

From this verse they should like to infer that God will create new heavens and a new earth, an understanding similar to the one they derive from Psalm 102, 27-28. According to this type of exegesis, when the Law says that the heavens would become copper for the people and the earth iron (Dt. 28, 23), it is saying that God would change the substance of those heavens and of that earth and constitute them anew out of other matter!

The true meaning of the verse in *Yesa'yahu* is that God will change the quality of the skies to make them healthy and sweet to those who live under them and He will make the earth fertile and delectable. Conversely, as retribution for sins, He would make the sky heavy and sultry: sky of bronze; and the earth unproductive, parched, craggy: earth of iron. As it is written:

He changed the rivers into a desert and water-springs into a parched ground: A fruitful land into a salty waste, for the wickedness of its inhabitants. He changed the desert into a pool of water; droughty land into water-springs [Ps. 107, 33-35].

It is for purposes best known to Him that God changes the qualities of the skies and the earth and this is what is meant by "new heavens" and "new earth.". Nonetheless sky and earth remain in their place, immutable. Our proposition — that the universe will subsist for ever and aye and God will not pronounce final judgement on His creatures to make an end of them by means of water or fire (as they say) because His promise is not to destroy them — cannot be challenged by any serious objection. Rather is it shown to be well-grounded and fortified by Scripture's express authority, which reason willingly accepts and adopts.

SONNET

Addressed to the Obstinate Rebels of the People

Where art thou going, poor blind man? — I know not.
— Show me who is guiding thee. — I am not being guided,
But relying on another old blind man I met,
Who has been on this road a long long time.

— Unhappy wretch! Dost thou not see that Scripture commands
To fetch the waters in the clear stream,
And not to listen to that false one's drivell
As I have already partly demonstrated to thee?

— Begone! for thou knowest not the secret
Taught by this blind man of mine who's taking me,
For it is hidden in the deepest center.

— So blind one, who lovest thus thy embroilment,
And art so enraptured by lies,
From muddy pit may'st thou never rise!

SONNET

in the Name of a Few of the People Almost Repentant

Tragic hard-heartedness, persistent obstinacy,
Forever going contrary to God,
Swerving towards evil, felicity changed,
Erroneous security so injurious,

Poisonous tongue of those who guide me,
Deaf ears, closed heart,
Have thus wounded my poor body,
Transformed into a dirge my happy tune.

Were I to my God perfectly to turn,
To His doctrine and Law to cleave,
Rueful at having broken the covenant,

Then one and all would praise me,
And He would call me as of yore,
This people of Mine, beloved son.³

Peace to the genuine.

³ The conception of rabbinic judaism as a barrier impeding the redemption of Israel was expressed by 10th century Karaite polemicists, *e.g.*, Jefet ben Ali Halevi: "God promised the scattered members of His people He would turn to them again when they would abandon the work of man (cf. Is. 29, 13), among which are to be understood Mishnah, Talmud and Aggadah, invented by man." Cf. S. Posnanski, "The Karaite Literary Opponents of Saadiah Gaon in the 10th century," in *Karaite Studies* (Philip Birnbaum, ed.), 131-234: 158.

TREATISE ON THE IMMORTALITY OF THE SOUL

Composed
by Doctor Semu'el da Silva,
Wherein is Also Exposed the Ignorance
of a Certain Contemporary Disputant, who, Among Many Other Errors,
Adopted and Proclaimed the Mad Opinion
that the Human Soul Dies Together With the Body.

At Amsterdam
Printed At the Press of Paulo de Ravesteyn
Year of Creation 5383

To the Gentle Reader

In order to protect those who are still sound of body, it is common practice in society to banish the plague-stricken (or, at the very least, to keep them outside the gates), forbid all contact with them and take preventive measures against the spread of the plague. If this is not done, the air becomes infected, the disease spreads insidiously and, before you know it, entire cities and even provinces have been decimated.

Now that we have among us someone who is worse than the plague, having already taken steps towards his banishment, the time has come to protect ourselves by prescribing a theriac against the venom he is spewing. We must beware and fear his venom, because by calling himself a jew and under the cloak of simulated virtue and modesty, he could easily destroy or at least infect some simple and incautious souls to whom he desires and tries to transmit his false and reprehensible opinions. It is such souls we wish to warn and alert to the danger, lest they put themselves into jeopardy if at any time or place they should fall into the company of or have conversation with this hypocrite or any others of his type, who, excellent as their stock may be, do in some rare instances degenerate into monsters.

Out of respect for the honourable family to which this man belongs I am not revealing his name, although he is not deserving of such consideration. I watched and registered the course of his life; his insolent and haughty manner of speaking, his hypocrisy and deceitfulness during the time he haunted our places of worship — pretending to champion their holy rules and regulations — and the subterfuges which were the first samples of the poison he was distilling. The final proof of his attitude came when he did not hesitate to draw up and distribute a declaration in which he denied the Tradition and the Oral Law given by God to Mose on Mount Sinai — the true explanations of the Written Law — saying that they are deceptions and frauds and that the Law has no need of such explanations and that he and others like him can give better ones.¹

¹ The reference is to the "Objections against Tradition" which da Costa "drew up and distributed" in 1616.

He asserted that the *dinim* by which Yisra'el was and is governed were all invented by ambitious and malicious men. He condemned the approved, traditional method of circumcision, disparaged the manner of making and using *tefillin* and *mezuzah*. He proclaimed it a great iniquity to celebrate a festival for two consecutive days, where the Law only commanded one day of celebration. He did not accept the legitimate reason given for this by the prophets and holy men who lived at the time of the First and Second Temples. It made no impression on him to hear that the Law itself makes room for the possibility of acting against *din* when those in authority deem such action expedient, as did 'Eliyahu, when he sacrificed on Mount Carmel [1Kgs. 18, 31-36] in violation of the law which restricts sacrifice to the holy Temple and as did Gid'on who had the men of Penu'el killed for refusing his soldiers bread [Jdg. 8, 17], in spite of the absence of a law which justifies killing people for such a deed.

He lacked neither friends nor people solicitous for his welfare who begged and cautioned him time and again to return to the path from which he had strayed; a path that had been charted for him in the writings of the Sages. Everything was tried to avoid recourse to harshness, but to no avail. Even so, we proceeded with as much gentleness as his case allowed and consented that he continue to reside in the city, to see whether he would repent and turn from his errors. But, instead of that, I and other persons of our persuasion saw writings of his² so scandalous and insolent that with good reason we could have made a tear in our clothing as good jews do and should do when they hear the name of the Lord profaned, because — and this is not even the worst of his blasphemies — he says that all Yisra'el is practising a strange cult and that he wishes to destroy it, just as Gid'on destroyed the altar of Ba'al.

And to this he adds (it comes down to having no fear of God nor having a soul — at least he might as well not have one, for all the difference it would make to him) that man's soul is mortal and perishable and ends together with the body, just like the souls of horses and mules in whom there is no understanding. Surely one is compelled to react and defend the immortality of the soul when one hears such beastly and vile opinions. Incredible as it might seem that such

2 No doubt a reference to the "Examination of Pharisaic Traditions" of which, as da Silva will tell us below in Chapter 8, he obtained three chapters though he also had an inkling of what the other chapters had to say, as he will intimate at the end of his own chapter 28.

contagion might infect any good jew, there is no denying that we are here confronted with just such an instance. And if it could happen in the case of this one, who is to say that others also might not allow themselves to be taken in, out of ignorance or arrogance. Therefore we must establish in the first place the truth and then refute the specious arguments invoked to contradict it.

As for you, friend and zealous reader, consider all this with sound and disinterested judgement, straining to your heart the truth of the Holy Law of the Lord. Pray believe me when I now tell you that what moved me to undertake this work, was, among other things, the ardent desire to bring a misled and lost sheep back to the fold. I beseech you to play your part in helping to effect his rehabilitation. May God grant you the strength and keep you for many years to use it in His service.

Chapter 1

About the Creation of Man and his Perfections

In the beginning God created the heavens and earth and all that is in them. We hold that the creation of the heavens included the creation of the angels, so that the entire mechanism, both the visible and the invisible parts, consists of three worlds: the angelic, the celestial and the terrestrial. The Lord, Blessed be He, is called moulder or fortress of worlds in Yesha'yahu [Is. 26, 4], and this is what the *serafim* seen by that same prophet [Is. 6, 3] — who continually praised their Creator, saying: “Holy, Holy, Holy,” — wanted to express, as if to say: “Holy in all three worlds; Praised and Sanctified in all of them”.

Now when the Lord our God wanted to connect these worlds with one another, establishing communication between them without which — as the Philosopher says — the terrestrial world could not be maintained (and this communication was as difficult to establish as to join earth to the heavens), God adopted an excellent method, namely the creation of man, endowed with virtues making him as it were the link and the bond between earth and the heavens; not corporeally (for it is repugnant to reason for a body to be at the same time in different places), but by his spirit, which in man is so angelic and elevated that, as Pindar says, it contemplates that which is above the heavens and that which is hidden under the earth. It is so ethereal, that it passes through every part of the terrestrial world at once; it climbs to the celestial world by meditating upon all its spheres; rises to the angelic world and reaches the highest hierarchy of angels and, what is more, does not stop until it attains the First Cause. Since it was meet that this excellent creature, while dwelling on earth, should have a relationship with heaven, it needed to consist of two parts, as different from each other as earth and heaven. Thus it came about that while his body was taken from the earth, his soul was more than heavenly, because it proceeded directly from God Himself, as the verse says:

And the Lord God formed the man of dust from the ground, and breathed into his nostrils the soul of life [...] [Gn. 2, 7].

Precisely because this work was so surpassingly wondrous, above all the rest of creation, not only did God keep it for the very last, demonstrating thereby that it was the pinnacle and purpose of the whole work of creation, but, what is more, when at last God reaches that stage of creation, He uses a different style and terminology to describe it. While in respect to all the preceding it was a matter of God speaking and the command being immediately carried out, here He changes the wording and says: "Let us make man" [Gn. 1, 26], words suggesting that this work would have been deserving of outside advice and help (were it within the purview of God to consult, which of course is not the case, for He has use neither for help nor advice; polytheistic interpretations of the phrase "Let us make" are in any event immediately dispelled and dissolved by the next verse: "And God created man [...]").

Indeed the work produced by the very hands, as it were, of such a Craftsman bears the stamp of perfection, as can be seen in man's features, colours and limbs. As to his soul, it was introduced by the mouth of God Himself and with His very breath. As to his excellence, it is the concentration and epitome of all perfections found in all worlds. In view of this, man well deserves to be called a microcosm, for in him are found existence as in the elements; compounds and anneals as in alloys; vegetative faculty as in plants; sensation and motive power as in animals and, finally, the intellective soul which makes him like the angels. It is this which gives man his peculiar nature, setting him off from brute animals; this is the part of him which we shall prove to be immortal and incorruptible; this, finally, is what makes man ascend so high, that the Psalmist says of him:

Yet Thou hast made him but a little less than angels [...] [Ps. 8, 6]

Chapter 2

About the Opinions Entertained by Gentile Philosophers Concerning the Soul

Ignoring the divers opinions of all other philosophers regarding the rational soul, I shall confine my attention here to those two who occupy, as it were, opposite poles. The first of these belongs to a school

whose adherents considered man's soul so noble and independent of the body, that they would not even admit to the two being consubstantial. Instead they claimed that the soul directs the movements of the body, not by inspiring it with life, but, rather, in the manner of a pilot at the rudder who directs the movements of a ship. If the body were for any reason adverse or refractory, the soul would immediately withdraw, and the result of this withdrawal is what is called "death of the body." Then the soul would become free and in charge of its own fate, not losing any of its essence, and thus attaining immortality.¹ This was the opinion of Plato and his followers. Diametrically opposite stood those who held that soul and body are so interrelated and interdependent that in no possible way could they be conceived as separate entities. That school of philosophers thought of the soul as mortal and corruptible, possessed of no greater durability than the body on which its existence depends. In ancient Greece, Epicurus and his vile flock subscribed to this wicked opinion; and in Judaea the malicious and stubborn Sadoq with that execrable band of followers, known as Sadducees. No trace of these is to be found in the world today, at least not in those parts where minds are improved and profane and sacred literature is studied, except perhaps for some isolated individual whose education was neglected and who, carried away by his passionate adherence to depraved opinions in general, ended up so miserably as to be totally blind to his own soul. Such is the case before us which we take up, compelled by our own conscience and our desire to restore and rehabilitate this former limb of our body, now, to our deepest regret, gangrened and cut off. Yet we do not despair of his ultimate cure, for he still has his free will and is at liberty to seek repentance and do penance for his errors and to turn toward the Lord Who does not refuse His mercy to anyone but rather beckons sinners to take balm for their ills:

Return, contentious children; I shall heal your obstinacy [...] [Jer. 3, 22]

¹ According to this view it sounds as if the soul's immortal quality is assumed only *after* its separation from the body and its abandonment of that steering job.

Chapter 3

In Which are Refuted the Above Opinions and the True One is Stated

Between these two fallacious and erroneous extremes, the Platonic and the Epicurean, is to be found the certain and infallible truth which we follow, namely that the rational soul is substantially united with and attached to the body, informing it with life, but, in contradiction to the Platonic opinion, not attending upon it. Nevertheless we hold, contrary to the Epicurean view, that when death dissolves this union, the soul continues to live, free and separate from the body. One of the principal objections to the Platonist view, which assigns the soul a function of mere attendance upon the body, is that from it ensues that the soul does not give life to the body. Such a view deprives the soul of its principal function, which is to vivify.¹

What is more, if the soul did not vivify the body, then all seeing, hearing and speaking which occur would have to be attributed to another force acting inside the body, like the malign spirits in the idols.² From this it would inevitably follow that man would not be man, because man is [by definition] a composite of body and soul, while according to this Platonic conception there is no composition, *i.e.*, union of the component parts.³

The folly of the Epicureans may be confuted by cogent arguments which we shall advance when proving the immortality of the soul. We agree with the Epicureans only as to the soul's being truly united to the body as long as it lives, but we shall point out to them that it may be and indeed is separated from the body when the body dies. This can be clearly demonstrated. For since it is true and beyond doubt that any created thing has a function, and we can prove that the rational soul

1 This argument is circular. It is da Silva, not Plato, who postulated that the principal function of a soul is to vivify.

2 By associating man's power of speech with idols, da Silva is reducing this function to an absurdity, whereas in fact many believe the gift of speech to be the distinguishing mark which separates mankind from the rest of the animal kingdom. Cf. for instance Onkelos to Gn. 2, 7.

3 Another circular argument. It was da Silva himself who dogmatically laid it down above (in Chapter 1) that man by definition is a compound of body and soul.

can function without a body, it follows of necessity that it can exist separately from the body. Granted that the soul, as long as it is united to it, makes use of the body in whatever it undertakes as if the body were its tool, there are nevertheless certain functions which are entirely foreign to the body, namely those of the so-called separate understanding, and those of the will, which are totally spiritual and extremely distant from anything corporeal, as will become evident in the following chapters.⁴

Chapter 4

Wherein is Proved the Immortality of the Soul in Respect to the Understanding

Let us first make clear that the soul is totally spiritual and invisible and in no way corporeal or material. For, if it were otherwise, considering that the soul is united with and attached to the body, it would mean that two bodies would be in one place simultaneously and the one absorbed into the other — a totally absurd concept, unacceptable to philosophic discourse. Next let us see what knowledge may be gained of the soul by examining its own functions, namely those of understanding, which have no intercommunion with the body, as is exemplified in the case of the angels who, for this reason, are called “pure intellects”¹ and in the case of God, called “the purest intellect.”

4 In this chapter da Silva seems to recognize the existence of no more than one soul per person, but da Costa certainly understood da Silva to be a believer in a multiplicity of souls: *i.e.* the animal; the intellective; etc. Now it is true that da Costa in his chapter 6 refers to this sentence of da Silva's as follows: “you... admit in your third chapter that the main function of the soul is to vivify.” But then, where is da Silva's consistency? Cf. da Costa's chapter 10.

1 Da Silva fails to inform us who it is that calls angels “pure intellects,” or how it follows that when the same term is applied to the human intellect it needs must be one and the same thing. In other words, da Silva's “proof” is based on the unprovable nature of angels.

So in God and in the angels, where there is no matter, there is understanding. The same must be true of the separated soul, since man does apprehend (for, as far as understanding goes, the rational soul knows of no limits and is like unto God and is able to apprehend all matters pertaining to God and, indeed, the divine essence itself).

Thus we are forced to recognize that in man there is a spiritual constituent whence proceeds the capacity for perception. This constituent can be none other than the soul, without admixture of body or matter. Its capacity for perception enables the soul to sketch and portray for itself an object, not tangibly, to be sure, but in the imagination. For the likeness of an object to be imagined and pictured by the soul, it must have come to it from outside itself. This is why the eyes absorb and bear the impress of colours and features of objects in order to see them; the tongue does likewise with flavours in order to taste them; similarly the other senses, each one in relation to the feelings or qualities proper to it. From these corporeal experiences acquired by means of senses exterior to the soul, that same soul goes on to derive spiritual experiences by virtue of internal senses. This can be easily demonstrated, because any image of an object, though it be experienced by an external sense, is much less corporeal and material than the object itself. For instance, to enable me to see an object at some distance, the object emits a likeness of itself which reaches me and by means of this image received in the eye I see the very object it represents. Who can doubt that this replica or image and likeness of the object is spiritual, as it were, relative to the object itself? This is why objects the size of the heavenly bodies can fit into our small pupils. The enormous difference which exists between the physical dimensions of these visible bodies and those of the images and likenesses which our soul receives, should make us conscious of the degree of spiritualization that takes place before any likeness becomes intelligible. The degree of spiritualization is so great that the likeness may be considered purely spiritual, stripped of all matter, and in no way can it be reflected in the body or in anything corporeal.²

This is demonstrated even more clearly in the apprehension of separate natures, called Ideas by Plato, *e.g.*, human beings, plants and other universal natures, which the understanding perceives and

2 Is it possible that da Silva means to say that the organ called the eye is not part of the body, and hence the term "purely spiritual" (*i.e.*, not at all corporeal)? Optics is obviously outside the physical domain for our author. Significantly, though he informs us how angels perceive objects, how animals see is ignored.

considers to be totally separated and distinct from matter. For were all plants in the world to die out, this would not stop our intellect from perceiving the concept of plant and discoursing upon it, and similarly in respect to the nature of other separate and collective objects.³ From this it follows that the likenesses of these objects must be purely spiritual and thus it is impossible that anything could be stamped and impressed from them which is non-spiritual. So, since man apprehends the separate natures of particular objects and individuals, and the soul appropriates all the images of the said natures — it is impossible for the soul to be anything but a spirit independent of the body and, since it can function on its own without a body, it need not be subject to the body's mortality. That is how it was understood by the philosophers who designated this power of the soul "separate understanding" — and properly so, for it considers and contemplates entirely separate natures and, supremely, God Himself.

This argument is further confirmed by the fact that, in regard to perception by means of the imagination, divine, angelic and human perception resemble each other and possess a degree of equality proportionate to each one. God perceives through having within Him all the spiritual likenesses of objects, as He also possesses all perfections of everything, since He is the first principle and source of all of them.

The angels receive from God, together with their angelic nature, certain images which represent objects, in order to perceive and know these objects by means of those images. But souls grasp these images by means of the bodies which they utilize, gathering through the gates of the senses the likenesses of things *grosso modo*, which the soul then filters and refines by means of interior senses, transforming them into ever more refined images, until at last they have become intelligible

³ This (*i.e.*, that one could discourse about plants, even if all plants had died out) is true only if pictures or descriptions were available on paper or stored away in human memory. Many words in the ancient writers conjure up no clear image for us, and can only be spoken of, as it were, algebraically, because the original referents have got lost. If a glossary were to be discovered, then the meaning of those words may be retrieved and meaningful discourse about them would again become possible. And even assuming that the original meaning of the word "plant" had really been lost from all animate and inanimate records, and the discourse would be a fictitious creation which was now being read into the shell-word "plant," it would still need to be proved that imagination or the creation of fiction is totally divorced from all physical experiences of the creator of that fiction — which of course neither da Silva nor anyone else has proved — before such discourse can be classified as "purely spiritual and stripped of all matter."

and stripped of all matter. Although the Creator could have given souls images of objects as He gave to the angels, yet He did not do so, because in order to honour His creatures and bestow greater favour and mercy upon them, He is not accustomed to perform for them anything they could equally well do themselves.⁴ But whereas human souls could acquire and conceive these images by means of their bodies, this is not the case with the angels, because the latter are not forms joined to bodies, as are human souls.⁵

From this exposition we may learn that the soul, once joined to the body, cannot perceive without the body's help, which help consists of images it produces, picked up by its senses.⁶ This prompted the Philosopher to declare that there is nothing in the understanding which has not first passed through one of the senses. But the need which it has of these ministrations of the body does not detract from the soul's power to perceive everything created and uncreated, in the same way as do the angels and, to the extent that it is possible, as does God Himself. In the absence of outside stimulation the soul has the capacity, when disembodied, spontaneously to generate and to form images and spiritual, universal likenesses and to harbour them within itself and to impregnate itself with them. And although the soul, when it is joined

4 "He is not accustomed to perform for them anything they could equally well do themselves." This great axiom of da Silva's ought to imply that since (as he tells us a few lines down) the human soul was created capable of doing all the perceiving it needed independently of the body, the body's role in the process of perceiving is dispensable and redundant. Why then was the human soul not allowed to get on with what it could do "equally well itself," without the luxury of the body's aid? Or is the axiom not of universal application after all — and is it only to be applied selectively? Another difficulty with this piece of da Silva is that he seems to be trying to explain the joining of two independent and disparate creations — body and soul — in terms of the human creature, granted autonomy of action for its own benefit as it were. Yet elsewhere da Silva claims that the purpose of this "hybridization" of dust and ether was to serve as a bridge between heaven and earth — a reason which is quite distinct from the anthropocentric one offered here.

5 This is a circular argument because it is God who, in the first place, chose to create humans with the ability to shift for themselves, while withholding this ability from those other beings called angels. If it is an indication of grace and mercy to be granted the capacity for active striving, then why was it arbitrarily denied the angels?

6 That the body has a role to play in the process called perception — at least of objective reality — he concedes. So the human soul is capable of cooperating with the human body and thus need not be identical with souls of angels which are allegedly disembodied at all times.

to the body, does not perceive without it, once the soul is separated from the body, it is capable of perceiving without it and, consequently, of being immortal and independent of it.

Chapter 5

Wherein is Proven the Immortality of the Soul in Respect to the Will

The will, being close to the understanding, is called intellectual appetite by the philosophers, and with good reason, because there can be no willing without understanding. As soon as the understanding recognizes a thing to be good, the will immediately attempts to obtain it. And whereas in the will and in the understanding the same motivations appear and militate, yet in the will they are more evident. For when good things such as bliss, wisdom and honour are named collectively or severally, everyone desires them and pursues them with the will, because these things, abstractly considered, belong to the spiritual realm. But when it comes to particulars, such as the ways and means required to obtain these good things, then corporeal appetites come into play, rushing headlong this way and that, dissipating, as it were, the spiritual desire.¹ We are thus forced to consider the will as an independent entity from the body, since it aspires to virtue which it exerts itself to obtain and possess. But being so heavily weighted down by all things corporeal, it tries, as it were, to free itself of the body and to destroy that hulk by hook or by crook. Surely the will can hardly have anything corporeal about it, if it goes around despising and rejecting all worldly things solely in order to cleave to God. So also souls, though they be firmly shackled to bodies and, as it were, held prisoners and captives in them, strive to emancipate themselves from brutish instincts, and to live, angel-like, without them.

¹ The author introduces this term "spiritual desire" (*desejo espiritual*) without explanation of how it relates to the intellectual appetite (*apetite intelectual*), which, he told us at the outset of this chapter, is a synonym for the will. Da Silva here, as elsewhere, apparently impervious to the demands of rational discourse, invokes terms and even axioms without explanation.

Quite blind and quite deaf is he who, after having the foregoing pointed out to him, fails to recognize in himself a soul independent of the body, as regards both understanding and will. But if even then his obstinate and hardened heart is not moved, then let me ask him what he thinks of the steadfast and valorous servants of God who, to sanctify His holy name, deliver their own and their childrens' lives to flame and sword? Will he say that they are acting stupidly? Yet 'Abraham showed piety consenting to sacrifice his son Yishaq, as did the latter in his willingness to be sacrificed. If none of these arguments suffices to move this heart of ice and stone, since he professes to be a jew, let me ask him what he would do if forcibly urged to worship idols by enemies of our faith? If he is so unswervingly attached to his erroneous opinion, he will surely submit to idol-worship and, in that case, I would ask, why does he call himself a jew? But if, after all, he would choose martyrdom for the honour of God and the Law, where then is the reward for such a meritorious endeavour?²

O that this inglorious earthworm would emerge into the light and realize that it is out of sheer arrogance that he denies the advantage God gave him over brutes, and out of a desire to separate himself from all Yisra'el. Let him know that he who denies the immortality of the soul comes very close to denying God himself, for he who neither fears nor expects anything from another life has no fear of God and where that is lacking, there is no knowledge of God, because the fear of God is the gate to wisdom and to knowledge of God. Indeed, there is no limit to the depravity, impudence, wickedness and presumption in the behaviour, thoughts and works of the man who believes that after death he cannot attain and possess a higher good than he had before being born. In short, if the soul ends with the body, long live triumphant Epicurus! — as an ancient moralist said. Then, to the accompaniment of cheers and jubilation, the day will come when the unhappy life of the one who sank so low as to compare his leprous and filthy soul to the soul of a vixen and to that of a dog, will be extinguished.

² This sentence, which may strike the reader as a non-sequitur, is of a piece with the rest of this paragraph. It all rests on the implicit premise that man is incapable of altruistic acts. But even within this framework da Silva's reasoning does not recognize (as did da Costa) that belief in a cause and the promise of posthumous renown might be powerful motives. Cf. da Costa's analogy with the brave warrior, «Examination», chap. 18.

Chapter 6

*Wherein is Illustrated the Same Proof
in Respect to Divine Justice*

It is certain that if good management and prudence are to obtain in society, the promise of reward and the threat of punishment must be great enough to effectively encourage and deter. Therefore God, who governs the world with Providence, rewards the righteous and punishes the wicked. Yet we see that many leave this vale of tears without adequate chastisement or reward for their conduct: indeed, in some instances, the quality of their lives is the opposite of what they deserve. We see some of the best who, far from being rewarded or recompensed, spend their life in miserable penury and thus end their days. Others we see who, not worthy even to have been born, never seem to die and the more worldly goods they accumulate, the ranker their arrogance and the more ostentatious their life-style grows and until the very end of their long lives they neither respect their fellow men nor fear or even remember God. Since God did not see fit to redress the balance during these people's lifetime, He will no doubt do so after their death, for otherwise divine justice would be found lacking and deficient. Consequently we must perforce admit the existence of a world-to-come, wherein souls dwell and where God's justice is entirely vindicated, everyone receiving his deserts. Why should we tire ourselves looking for many examples of this truth? Let the one of Ya^caqob and ^cEsav suffice, which makes it clear as daylight. God says about them:

[...] I loved Ya^caqob. And I hated ^cEsav [...] [Mal. 1, 2-3].

It can readily be shown that this love was to be expressed with spiritual goods in a future life, for as to worldly goods in this life, many more tangible expressions of love seem to have been lavished on ^cEsav than on Ya^caqob. Ya^caqob spent his life in absences from home, fears of persecution, troubles, travails and exiles. He died far from the Holy Land, leaving his descendants to fall into harsh Egyptian slavery. He himself described his years as few and evil when speaking to Paro [Gn. 47, 9]. ^cEsav, on the other hand, lived a longer life, ¹ held power as

¹ According to an *'aggada*, Esau survived Jacob; cf. B.T. Sota 13a.

a ruler, transmitted nobility to his lineage and possessed a great abundance of worldly goods. Therefore the true goods, destined for those whom God loves, must be spiritual in nature and exclusively so.² This truth may be confirmed by the great effort expended by our holy patriarchs to secure burial nowhere else but in the Holy Land, which would have been pointless had they come to the conclusion that death puts an end to everything.³ Now, since they strove to obtain this burial, it is certain that they expected some future good to come from it, which could only have been the resurrection of the dead and the glory due to the blessed souls restored to their glorified bodies. It is therefore an incontrovertible truth that they expected or looked forward to another life.

Chapter 7

Wherein this Truth is Totally Confirmed by Quotations from Scripture

Besides the evidence provided by the holy Law — which says that God breathed into the nostrils of the first man the breath of life [Gn. 2, 7] — as well as the verse:

And God created man in His image [...] [Gn. 1, 27]

— never understood by anyone to mean anything else but the soul, hereby revealed to be the exact image of God and as incorruptible as the breath of God — He Himself says through Yesa'yahu:

And souls I have made [Is. 57, 16].

Since He singles out souls, saying that He made them, this shows that they have no efficient and immediate cause other than God. As it is written:

Behold, all the souls are Mine, as the soul of the father and as the soul of the son — Mine are they [...] [Ezek. 18, 4].

2 Indeed these gifts may have been spiritual, but why in another world?

3 Cf. *Bereshit Rabba*, *Vayehi* and B.T. Ketubot 111a.

The Psalmist says:

As for me, in righteousness shall I behold Thy face; I shall be satisfied, when awake, with Thy likeness [Ps. 17, 5].

What is here set forth is, as Rasi explains, the resurrection of the dead:

"in righteousness shall I behold Thy face": this refers to the future life: 'then shall I see Thy face by means of righteousness, for with it, O Lord, Thou wilt cause my sentence to go out from before Thee.' "I shall be satisfied, when awake, with Thy likeness": as if to say: 'I shall be satisfied with contemplating Thy likeness at the time of the Resurrection of the Dead, for they are in Thy image'.

I, however, explain the second half of this verse in the following way: 'Thy image (my soul contained in this mortal body), is as it were asleep and blind and therefore lacks and craves for a vision of Thee; however, at that time I shall satiate myself with it and shall be satisfied when I awake from this sleep and will have a glorified body in which I shall not sleep and that will be at the time of the Resurrection.'

The Psalmist exclaims:

Surely God will redeem my soul from the power of the pit when He will take me. Sela [Ps. 49, 16]

and we will not interpret this to mean that the Psalmist was boasting that he would not die, for there is no one who expects such a thing. What he was looking forward to can therefore only be redemption and life after God would take him from the grave. Further proof of this truth comes from the verse where God is called "God of 'Abraham, God of Yishac, God of Ya'aqob." [Ex. 3, 6] They must be alive as regards their principal constituent, which is the soul, because it is as impossible for the Pure Act which is God to compare and accommodate itself to the total nothingness — which would be man's lot if death were an end without return — as it is for Him to be called God of non-existence.¹

¹ Cf. Matt. 22, 31-33; Mark 12, 26-27; Luke 20, 37-38. The argument, exactly as expanded by da Silva, had been used by Church Fathers such as Justin Martyr and Irenaeus to prove immortality as well as resurrection. Cf. Harry Austryn Wolfson, "Immortality and Resurrection in the Philosophy of the Church Fathers," *Religious Philosophy*, Cambridge (Mass.), 1961, 69-103: 70-71.

Add to this the divinely inspired dreams which are recorded in the Law, the revelations and prophecies, all of which belong solely to man's spiritual part, and what you get is something divine, to which God attaches Himself. And even if doubts could be raised in respect of all other prophecies, there is no explaining away the prophecy of Mose, of whom the Law states (Ex. 33, 11):

And the Lord spake unto Mose face to face as a man speaketh unto his friend [...].

As God has no face, this amounts to saying that God spoke to Mose without intermediary. Now since it is certain that God is wholly spirit, without any admixture of matter, it follows that the recipient of God's communication must also be spiritual, without alloy of matter. He communicates directly with the soul, as may be seen in the case of Mose's prophecy. Therefore the soul is totally spiritual and, consequently, incorruptible. It seems that Bil'am was aware of this when he requested for himself the death of the righteous, which is tantamount to asking for the bliss of the world-to-come. For had he not contemplated the existence of such bliss or of anything else beyond the grave, dying the death of the just or of the unjust would have been a matter of indifference to him. In fact it might have suited him better to die (as indeed he did) from the blow of a sword, without suffering the pains and illnesses which sometimes beset the righteous.

The human soul's immortality has now been convincingly demonstrated by infallible and irrefutable arguments, confirmed by Scripture. We shall next show that everything our opponent alleges to deny this truth, is false and absurd and unworthy even of barbarian and brutal heathens, let alone of one who professes to be a jew and to observe the Law. We are convinced, however, that he will ultimately deny even the Law, unless he turns over a new leaf and repents, for, as David says:

One abyss calls to another [...] [Ps. 42, 8]

Chapter 8

*Concerning a False Definition of the Human Soul
and the Ignorance of the One who Proposed it*

We got wind of a book that the adversary — the one who forces us to write — was trying to have printed. We were very eager to see it, and managed to obtain a single quire, which we can faithfully attest is in his own hand. Here now follows a word for word transcript. We have merely divided it into sections, for the clearer refutation of each of his points. This is what he says:

Chapter 23 ¹What Constitutes the Soul? Who Engenders It?
Is It Mortal or Immortal?

As we are going to deal with the question of whether the soul is mortal or immortal, it is necessary to enquire in the first place just what constitutes the soul, especially since some ignoramuses speak of it as of a damsel housed in our bodies, and one even sees paintings depicting souls leaving purgatory. But what we would call the soul of man is the vital spirit which animates the individual, and which is contained in his blood. The human being lives, works and moves by that spirit, which lasts him until nature or violent means extinguish it. There is no difference between the soul of an animal and the soul of a human being other than that man's soul is rational and the beast's is devoid of reason. As for the rest, as far as being born, living and dying is concerned, man and beast are exactly the same, as Selomo put it [cf. Eccl. 3, 19], and man has no pre-eminence over a beast as regards permanence, for all is vanity. Just as the soul of an animal, as the Law says, is contained in its lifeblood, so too is the human soul, which is vital spirit, also in the blood.

¹ Da Silva refers here and further to a numbering of chapters which he found in the quires taken from da Costa's original book. This numbering corresponds as follows to the numbering of chapters in da Costa's extant book: Chapter 23 = Chapter 1; Chapter 24 = Chapter 2; Chapter 25 = Chapter 3.

Aside from its other omissions and flaws, this fake definition has neither order nor the diagnosis which is essential to true definitions, but merely consists of a conglomeration of incoherent words. First he says that the soul of man is the spirit of life in the blood, then that the soul of an animal is contained in its life-blood and that in the same way the soul of man, which is his vital spirit, is in the blood. Let us consult the sacred text of which this pseudo-definer blindly wishes to avail himself.

When granting to the children of Yisra'el permission to eat meat once they would enter the Holy Land, God said:

Only be firm so as not to eat the blood, for the blood is the soul and thou shalt not eat the soul with the flesh [Dt. 12, 23].

Why tire ourselves out explaining the metaphoric nature of one passage to a person who so obstinately takes all literally? Let him believe man is a trunk with branches and roots, since the Law says man is a tree of the field (Dt. 20, 19). Let him believe the stones of the Holy Land are pure iron, since that is what the text says (Dt. 8, 9). Let him say that man can eat souls of animals and batten on them.² For, if blood is not forbidden because of its being blood, but rather because of its being a soul, he could permit the eating of blood of an animal slaughtered yesterday or the day before, or long enough ago for the blood to have congealed.

Such a philosopher could scarcely be made to understand that the soul is an incorporeal, indivisible substance, present in everything and everywhere, the source and principle of life, animating the whole anatomy. Blood, on the other hand, is obviously corruptible and divisible, so far from being a soul or even a derivative of the soul, that it does not possess any life nor is it any intrinsic part of an animal, for the parts of an animal cannot be lost in the morning and restored in the afternoon as is the case with blood, which is a liquid substance, composed of various humours on which the limbs feed.³ After each limb has taken as much blood as it needs, it expels the rest as being

² When da Silva writes "let him say that man can eat souls of animals" the author misrepresents da Costa's thought, for he is implying that da Costa's literalism would lead to spiritual cannibalism, whereas in fact, da Costa could never have said such a thing without opposing the Law, which, for whatever reason, categorically forbids the consumption of blood.

³ The argument is obscure, for the difference is surely not between blood and other parts of the body, but quantitative. Cf., however, *infra*, chap. 11 and *ibid.*, note 2.

useless and superfluous, for, if retained, many dangerous maladies could ensue. Such vile and lowly matter could therefore hardly be the soul. But the Law calls it thus because the blood is the principal tool of the soul, operating by means of the vital spirits, which are some subtle vapours generated in the heart of the best and purest part of the blood.⁴ It is in this metaphorical way that the Law calls even more remote objects "soul", as, for instance:

No man shall take in pledge the nether millstone or the upper millstone, for he taketh the soul in pledge [Dt. 24, 6]

that is to say, the instrument to earn one's bread to sustain life and thus, consequently, the soul. What is more, the Law, explaining itself, does not say that the soul is blood, but rather that it is in the blood:

For the soul of the flesh is in the blood [...] [Lv. 17, 11]

as if to say, the blood is as it were the link and the means by which the soul informs the limbs and joins with them.

How can one suffer an ignoramus who, unaware of the a.b.c. of philosophy, dares to propose definitions of souls? His ignorance is in fact so great and so crass that he completely misunderstands the words of the Law concerning the soul of brute animals and applies them literally to the soul of man, without any other support than his own opinion, not realizing that, far from equating animal and human blood, the Law does not prohibit the consumption of human blood.⁵

Now if it were not sufficient to realize the difference between humans and beasts by observing their limbs, complexion and posture

⁴ It is not clear how this theory differs from da Costa's in any significant way: the soul is in the blood and what the Bible calls "soul" is simply the vital spirit which resides in the blood. Moreover, da Silva lets loose upon us here "vital spirits" and "subtle vapours", not to mention "the best and purest part of the blood." None of these new terms is explained.

⁵ While it is true that the interdiction at Lv. 7, 26 explicitly mentions only fowl and beasts yet — since the context did not require its mention — this verse should not be taken as a licence to consume human blood. If da Silva, ignoring the context, would insist on inferring such a licence from this verse, he would still have to contend with Lv. 3, 17, which does not specify fowl and beasts, but says "all blood". If he ignores context, he would have to accept that latter verse literally, to include all blood. However, da Silva, though he invokes only "the Law," may have had in mind a reading of the above-cited verses that led the rabbis to conclude that the Law had not forbidden the blood of humans, fish and locusts. Cf. B.T. Keritot 20b, 21b; Ketubot 60a.

— man raising himself up toward heaven and the beast sniffing and foraging in the ground — it should have been sufficient for a Jew — considering that it is only the Law that endows him with such great nobility and excellence in the eyes of the lawless heathens — that the superiority of the human soul is revealed through the words of the Law.

See what it says:

And the Lord God formed the man, dust from the ground and breathed into his nostrils the soul of life [...] [Gn. 2, 7].

He could have noted:

A lamp of the Lord is the soul of man [...] [Pr. 28, 27]

where the wise man shows how vastly this misguided glossator strayed in misinterpreting:

[...] so that the pre-eminence of man above the beast is nought, for all is vanity [Eccl. 3, 19]

since the Preacher was talking here only about the corporeal preeminence, as he himself explained, saying:

I made great works, I built myself houses, I planted myself vineyards [Eccl. 2, 4]

and, continuing to discourse upon earthly pleasures, concludes:

[...] and behold, all was vanity [...] [Eccl. 2, 11].

So, neither from the false definition of man, nor from the misunderstood quotation from Selomo is the soul proved mortal, but rather the exact opposite is demonstrated, for Selomo up to this point was only speaking of the body and of that which men can discern with their eyes, whereas the soul is invisible. The false definition derives from a misunderstood and misapplied verse in the Law. Misunderstood, for it involves taking literally what is meant metaphorically, as we have already shown. Misapplied, because what the text says of the soul of the beast he transfers to the human soul. Hereby our opponent shows his understanding to be inferior even to that of an elephant, to whom further on he attributes prudence.

Chapter 9

That the Human Soul Does Not Issue from Matter Like Those of Brutes and a Reply to the Contrary Argument

Our adversary goes on to say:

Now that we know what a soul is, let us ask who engenders it and puts it into the body of a human being. We reply that it should be obvious that man engenders the soul of another by natural procreation, just as animals engender the souls of other animals belonging to the same species, *e.g.*, an elephant engenders another elephant equally wise; the fox, another fox, just as cunning; the horse, another horse, just as strong, obedient and brave. A human being, consequently, engenders another human being possessing his own qualities, namely reason and intelligence, the very ones distinguishing him from brutes; there can be no doubt about this matter. Were it not so, procreation of human beings would be imperfect, and at variance with the divine will which decreed that by means of the semen given to all His creatures, they engender in their own likeness, and by this means all species are preserved and multiply. To man in particular was said: "And God blessed them, and God said to them: 'Be fruitful and multiply and fill the earth and subdue it and have dominion over the fish of the sea' [...]" [Gn. 1, 28]. And to show that man engenders a creature in all respects like unto himself, Scripture says: "And 'Adam lived a hundred and thirty years and begat a son in his likeness, after his image [...]" [Gn. 5, 3]. Rational 'Adam, lord on earth over the creatures, begat a son in his image and likeness, perfect in all respects, without external intervention in the act of procreation. Selomo says as much, when he declares that men and animals are born the same way. This allows of neither doubt nor contradiction: it is confirmed by Reason and the Law.

One absurdity leads to another. This unlettered antagonist, having started out with his false proposition that human and animal souls are alike, falls into his next error of saying that brutes and human beings are also alike and equal as regards the act of procreation and that the souls of men issue from matter, as do the souls of animals. He does not take into consideration the superiority with which the creation of the human soul was endowed, insufflated into man by God Himself¹; nor does he take account of what God says:

[...] souls have I made [Is. 57, 16]

¹ Da Silva seems to assume here — with Jerome, Augustine and Calvin, but against the traducianism of Tertullian and Luther — that according to Scripture every

nor of what Selomo says:

A lamp of the Lord is the soul of man [...] [Pr. 20, 27].

He staggers about, blinded by stubbornness, and tramples everything underfoot, because, according to him, man would be an imperfect creation, a passing wind, if he did not totally reproduce himself, body and soul, just as a horse begets another horse. To shore up his foolish thesis he cites the verse in Genesis (1, 28) wherein God blesses man and commands him to be fruitful and multiply and fill the earth. In fact all that can be derived from this verse is the command for man to enter into lawful matrimony with the purpose of producing legitimate offspring to populate the world and that he must not neglect his share of this work, which is to give his seed.²

Though, in contrast with animals, man does not transmit his soul to his offspring, this in no way implies imperfection, since he functions to his full capacity.³ Nor is he in this respect inferior to animals, because the souls of brutes are potentially contained in matter and thence are converted into action, but the rational soul — since it is of a higher degree and has no traffic with or dependence on matter — must needs proceed from a higher level. Man has great superiority over animals. True, the soul which issues from his seed is of the same type as the soul that issues from the seed of animals and while they are in the womb, both live and grow like plants, feeding on the qualities of the vegetable soul. The human creature, however, at a certain point receives its rational soul. But even then, it lives an animal life, using the sensitive, motive soul, as is recognized by all philosophers and doctors, who base their opinions on incontrovertible reasons and arguments which we cannot go into here. So we see that the seminal and generative qualities of man are in no way inferior to those of animals. They possess the same potential vegetable-sensitive soul which

human soul is insufflated by God and that Genesis 2, 7 applies not to Adam alone, but to all his progeny, too. Cf. (1624).II.5, note 4. If, however, when he uses the past tense ("the creation of the soul *was* [foi] endowed", etc.) he refers exclusively to Adam, then his reasoning is void, because the prototype of every species was created by God.

² Our author believes that the blessing-command to be fruitful and multiply, though expressed in the plural and addressed to both man and woman, was nonetheless meant exclusively for men. Cf. B.T. Yebamot 65b.

³ It sounds as if man's "full capacity" is less than the animals'. And though da Silva absolves him herewith of all moral imperfection, man's capability, if we are to believe him, is nonetheless physically inferior.

is converted into action, transforming and adorning matter and the human differs from the animal only in respect to certain distinguishing features, peculiar to his limbs, *e.g.*, their place, order and beauty. This state of affairs continues until such time as the human embryo has been fashioned into organs which are capable of receiving and do receive the rational and intellective soul. This disposition and capacity proceed from the formative faculty inherent in human seed but not in that of animals. The latter is limited to forming limbs capable of housing only the sensitive soul.

As to what he says about 'Adam — claiming that his begetting Set "in his likeness" at the age of one hundred and thirty years proves that man engenders the soul of his offspring — is an error deriving from a misapprehension of the text. For if these words refer to the soul, why should they not have been said about Kayin and Hevel, who were also sons begotten by 'Adam? Surely, if "likeness" is to be understood as a result of procreation, there is no reason to suppose that they did not have the same "likeness" as Set. Surely the "likeness" of which the verse speaks:

And 'Adam lived a hundred and thirty years and begat in his likeness after his image and called his name Set [Gn. 5, 3]

refers to Set's moral qualities and that is why the word was not applied to the first sons, because they were not to inherit the kind-heartedness and sterling qualities of their father, whereas Set, the true heir to his father's virtue, was to be the direct ancestor of the good people favoured by God. For this reason the text says of Set, the third son, what it did not say about the first two, namely that "'Adam begat in his likeness", meaning a true son and direct successor to the virtue and heritage that was his father's, differing from the first two sons. In the same way is to be understood:

[...] 'Abraham begat Yishaq [Gn. 25, 19]

and

[...] for in Yishaq shall his seed be called [cf. Gn. 21, 12]

since, although 'Abraham also begat Yisma'el and other sons, Yishaq was the sole heir to 'Abraham's virtue and good reputation, whereas in respect to the capacity for natural procreation all 'Abraham's sons were equal.

His quotation from Selomo, which says that man, as far as birth and death are concerned, is just like any other animal, is irrelevant and

does not merit a reply, because the Sage was referring, correctly, to bodies and we are discussing souls, which are not born and to which Selomo could not have referred, since he himself says:

and the dust will return to the earth as it was and the spirit will return unto God who gave it [Eccl. 12, 7]

and:

A lamp of the Lord is the soul of man [...] [Pr. 20, 27]. ⁴

Chapter 10

That God Introduces the Souls into Human Bodies in a Way That is Hidden from Us

Our adversary goes on to say:

Those who say that souls are beings separate from the body, which God created all at once and stored in a granary as it were, whence He orders them put into the bellies of pregnant women, do not deserve to be listened to. These follies, dreamt up by the vain gentiles and still followed today by the Pharisees, are really unworthy of further discussion. Others say that these beings are newly created by God in the belly of pregnant women: another extraordinary idea, foreign to reason and the Law. Those who invented this opinion did so because they would not accept that the human soul was mortal, realizing that if the soul were indeed begotten by another human being in the same natural way as the souls of animals are begotten by other animals, then it would have to be mortal. Moreover, since this opinion lacks any support from reason or the Law and is in fact no more than flimsy guesswork, why waste time on examining and refuting its purported foundations?

I do not know if any legislator has spoken more insolently and boldly than this reviver of the base and long dead and buried sect of Epicurus. The matter at hand is so weighty or, should we say, so trifling in his eyes, that he did not bother nor did it occur to him to cite the

⁴ Da Silva has so far quoted this favourite text three times.

Law or adduce rational arguments. Nor could he have found any to justify his statement that some of us “dream up follies” or “have weak and flimsy notions” about the way souls enter bodies — one of the great wonders performed by God. Now whether He created them at one time *en masse* and stored them up in the world of the souls, or whether He goes on creating them one by one, is immaterial to our theory, and anyway, why should it be more difficult for God to create souls in one way than in another? ¹

Is He not omnipotent, so that He can create them how and when He wants? Is He not omniscient, so that He can introduce them into the bodies just when the bodies are capable of receiving them? Is He not omnipresent, so that He can supply them anywhere at any time? What madness to meddle in this matter with such confidence and impudence, making not only base but also extravagant affirmations. The formation of the human being in the womb; the variety, distinction and beauty of human limbs; the concealment and efficacy of the qualities and capacities that God put into each one of them; the manner in which the seed sucks up as it were the mother’s substance just like seed sown in the ground sucks up humidity; the way the embryo uses the properties of the vegetable soul to feed itself and grow before it feels and moves; how these clearly defined but still imperfect limbs acquire the faculties of movement and sensation — though not yet of perception — thanks to the sensitive soul; finally how by dint of further refinement these limbs are transformed into vessels and organs sufficiently adjusted for the intellective soul to enter into them: this entire phenomenon is so admirable, so filled with majesty and divine wisdom, that it turned the best philosophers’ contemplation into amazement and caused the Psalmist to attribute it all to divine wisdom and power:

Thy hands have made me and established me [...] [Ps. 119, 73].

Even though one could adduce various opinions and arguments concerning the precise time when the rational soul is introduced into the human body, since the principal arguments of this treatise are derived from the Law, which we follow closely, we declare the most probable hypothesis to be that the soul of the male enters the body forty days after birth and the soul of the female eighty days, corresponding

¹ Da Silva is here insinuating that da Costa had denied the granary theory, etc., out of a lack of faith in God’s omnipotence, although da Costa’s incredulity in respect to such theories was not on these grounds.

to God's command in Leviticus 12, which prescribes just that number of days of uncleanness to the lying-in woman before she appears in the Temple: forty for the male and eighty for the female. But in matters so occult and profound, which God reserved unto Himself, wise and serious men speak most prudently, whereas the ignorant and light-headed speak without consideration or respect, as does this one here, who exposes the limits of his poor education, lacking grounding and doctrine.

Chapter 11

About the Immortality of the Soul and the World to Come, Gainsaying the False Conclusion of the Adversary

The adversary goes on to say:

To the question as to whether the soul of a human being is mortal or immortal we reply that, from the preceding, it is evident that it must be mortal if it is contained in the blood, as we have already ascertained. It is in fact the vital spirit which dies and is extinguished before the human being can expire; indeed death would not have set in if the vital spirit, *i.e.*, the soul, which breathes life into man, had not departed. This obvious and palpable truth is manifest in many places in Scripture, which are irrefutable. The first proof is an *argumentum ex silentio*: the Law nowhere indicates that the human soul is immortal or that another life, whether of punishment or glory, awaits it; how inconceivable for the Law not to have mentioned such things! for God is not in the habit of concealing chastisement from man, but rather does He set it before him again and again, that its threat might dissuade him from evil, as may be seen in the Law.

Earlier on we have clearly shown that the animal soul does not consist of blood and how much less so the human soul, since the latter is an incorporeal substance, invisible and incorruptible, whereas blood is a material of a totally opposite nature, subject to many sources of corruption, which it incurs continuously. Now when Scripture says that the soul of an animal is in the blood, it means that when the animal soul lacks blood, its principal driving force is gone and it can no longer operate. Ceasing to operate, it leaves the body and this is called

death.¹ Seeing that the animal soul is not blood nor did the Law mean to say that it was, how much less can this be the substance of the human soul of which in fact it does not constitute any part. If our adversary were right — that the blood and the soul are so intimately connected — it would be unimaginable for the soul, whose nature is to animate the limbs, and which is the very source of life, to leave the matter of which it is an integral part. Blood, on the other hand, does not live nor is it intrinsically part of the body, as may be confirmed by considering the great quantity of blood which a body may lose in one hour and regain in another, without any change taking place in the quantity, location and number of the constituent parts of the body.²

Our latter-day sophist states that the blood and the life-spirit are extinguished and die before the person dies. This statement presents a contradictory proposition, both elements of which he claims to be true. It says that a transitional time exists during which a person is half alive and half dead. Dead, because the soul has gone, due to the extinction of the vital spirit in the blood; not dead — because he says so, claiming that the vital spirit is extinguished before the human being dies. Let everyone take notice of how his erroneous opinion is self-destructive.

Because the soul's immortality is apparent from so many places in Scripture and demonstrable by reason, his assertion to the contrary is astounding. The existence of the hereafter — glory for the souls of the righteous, condemnation for the souls of the wicked — is not open to doubt among the believers and faithful who do accept, seek and desire reason and doctrine. And for the rebels and faithless who deny the very roots of belief, of what use are proofs? But the reward desired by the prophets for whom David spoke:

Unless I had believed to see the goodness of the Lord in the land of life [Psalm 27, 13]

¹ One might object that an animal-soul does not consist of blood, because the soul is immaterial. Yet now da Silva claims that in fact the blood is the driving-force of the soul, in other words, what was first presented as something totally spiritual turns out not to be so independent of matter after all.

² So da Silva (the medical practitioner) believes blood to be dead matter and not an intrinsic part of the body.

what can it be but the world-to-come, also expressed in the words of 'Abigayil to David:

[...] yet will the soul of my lord be bound in the bond of life with the Lord thy God [...] [1Sm. 25, 29].

What could Yesa'yahu be designating, if not the world to come, when he says:

[...] no eye had seen God beside Thee, who would do thus for the one that waiteth for Him [Is. 64, 3]

as if to say: the goodness that only God saw, that goodness God will make known to the person who hopes in Him. As to why the Lord did not expressly inform us of this world which is hidden from us, He must have His reasons. Perhaps, as our sages suggested, it is because there is nothing to compare it to and because human senses are incapable of grasping it. To think that it is impossible for the Law to keep silent about it, amounts to obliging God to reveal and communicate to mortals that which He in His wisdom thought best to hide and to keep in store for those who live righteously.³ As the Psalmist says:

How great is Thy goodness which Thou hast stored away for those who fear Thee [...] [Ps. 31, 20]

where the Hebrew word here translated "stored away," literally means "hidden."

Our adversary's argument to the effect that an exposition of the workings of the world-to-come and a detailed description of the punishments it holds in store for the wicked would dissuade them from committing sins, has no validity, because the Law is replete with warnings and adequately sets before humankind the rewards and punishments awaiting them here below which, being concrete and visible, have a greater persuasive force.⁴ Nor are promises and threats

³ If the Law's silence were due to a desire to hide the mystery of the future life from mortals, how does da Silva explain other Scriptural books divulging it?

⁴ Further on the author considers the threat of punishment in a hereafter the one and only real means for turning people into a manageable herd, whereas here he tells us that "the rewards and punishments awaiting them here below [...] have a greater persuasive force."

concerning the world-to-come entirely absent, as for instance the Law's promise to the righteous:

[...] in order that it may be well with thee and that thou mayest lengthen days [Dt. 22, 7].

On the other hand it threatens the wicked:

[...] cut off shall be cut off that soul, its iniquity is upon it [Nm. 15, 31].

So we have it from the mouth of the Lord: "in order that it may be well with thee" signifies this world and "that thou mayest lengthen days" refers to the world-to-come, which is all length. From the same source we have it that "cut off" signifies from this world and "shall be cut off" means from the world-to-come. That is the true meaning of these verses.⁵ Whoever prefers this scoundrel's fictitious and forged ones, may have them and may perish miserably with him. He tirelessly studies and seeks ways to deprive himself of the bliss God held in store for him and which He will without any doubt impart to the God-fearing and true people of Yisra'el, as those saintly men who are our sages said:

All Yisra'el have a share in the world-to-come [Mishna, Sanhedrin 10, 1].

Chapter 12

Confirming the Truth of the World-to-Come, Further Disproving the Adversary's Specious Arguments

Our adversary goes on to say:

Further proof: God said to man: "[...] on the day that thou eatest [of the tree], thou shalt surely die" [Gn. 2, 17]. Thus man was created mortal, subject to death; otherwise, if his condition had been immortal, the

⁵ This interpretation of the pleonastic phrase "cut off shall be cut off" lacked the consensus of the Talmudic sages. Cf. B.T. Sanhedrin 90b.

body should have continued to exist, vivified by the spirit that God breathed into it. God also said unto him: "Dust thou art and to dust shalt thou return" [Gn. 3, 19], whereby He made clear to man his latter end and that — his high rank notwithstanding — his days would be numbered and he would return to his earlier condition.

On the contrary, Holy Scripture here is informing us that man would not have been subject to death had he not sinned. From the converse of the words God addresses to him:

[...] of every tree of the garden thou mayest freely eat. But of the tree of the knowledge of good and evil, thou shalt not eat of it; for on the day that thou eatest thereof thou shalt surely die [Gn. 2, 16-17]

it may be inferred that had he not eaten, he would not have died. This is confirmed by Scripture itself, which says: "on the day you eat, you shall die", and also informs us that he lived on for many years. It is therefore certain that what he was sentenced to was not having his days cut short, but, from the day he ate of the tree, to be subject to death. His condition henceforth was to live out his days and finally die, as opposed to his immortal nature prior to eating of it. The truth of his erstwhile immortality is further confirmed by the fact that even after sinning he still had the means to avoid death had he stayed in the earthly paradise, because for death to overtake him it was necessary to expel him from there, as God says:

[...] and now, lest he put forth his hand and take also of the tree of life and eat and live forever [Gn. 3, 22].

Now this possibility of living forever in no way contradicts reason, because if man could find a way to regain the radical humour and fine substance which he is losing continually, he would always constitute the same being and would never die. Yet die he does, because the sustenance through which he recovers what he loses always contains something deleterious, causing the corporal powers to weaken. If God had installed in this tree of life the property to restore an amount of substance equal to what was lost and to reinforce the corporal powers, who could doubt but that thanks to it man could maintain his life forever? But, leaving this question aside and granted that man must die, what has all this to do with the soul, which by its very nature is

immortal?¹ Death is but the separation of the soul from the body and the return of each to its proper place. That is why God said to man:

[...] for dust art thou and to thy dust shalt thou return [cf. Gn. 3, 19].

So there is no doubt that He calls dust that part of man which was taken from dust, namely the body. It is therefore quite reasonable that the body should return to its former state, as everything does that is subject to natural corruption. But he who misunderstands this verse to include the soul and believes that it too becomes dust, would have to first prove that the soul was dust at some former time. But it never was nor could it have been dust, but rather is it a divine spirit and a substance distinct in every way from the body. So, even in the absence of any other argument, it would be impossible to say that the soul is transformed into the same matter as the body, because two distinct substances — even were we to admit that both are subject to corruption — when returning to their original essence, would be reconstituted respectively into their distinct original essences; not both into one and the same. It is therefore an obvious absurdity to include the soul of man in the verse:

[...] dust art thou and to thy dust shalt thou return [cf. Gn. 3, 19].

King Selomo long ago retorted, saying:

[...] and the spirit will return unto God who gave it [Eccl. 12, 7].

And our Sages, discussing the soul, said: “return it to God as He gave it to you,” that is to say, as clean and as pure.

¹ Surely it has everything to do with the question of immortality. For if it is a quality which the body could enjoy together with the soul — which da Silva believes would have been the case had Adam not sinned —, then, presumably, that “soul” would have remained eternally on earth within the body. The alleged other-worldly existence of the soul after its separation from the body must then be considered a result of Adam’s sin and far from the ideal. As for his insisting that the soul by its very nature is immortal, so was the nature of Adam’s body originally capable of immortality, yet — as da Silva has just informed us — this did not stop it being transformed into a mortal nature. God can — and did, as it appears — change the essential nature of His creation. And so, even if Adam’s soul had started out immortal, how can da Silva be sure that it did not undergo the same change as his body?

Chapter 13

The Patriarchs Knew of the World-to-Come

The adversary goes on to say:

Further proof: the patriarchs did not expect another life, nor did they reckon with its bliss, as can be inferred from their words. For when the Lord announced to 'Abraham that his reward would be great, he replied: "Lord God, what wilt Thou give me, and I go childless [...] and this houseman will be my heir" [Gn. 15, 2-3]? As if to say: 'I do not know, Lord, how this great prize is to be paid out to me, for I have no children who can be my heirs.' Now, if 'Abraham had counted on another life, he would have expected the "great reward" to come at that later time, and he would not have exclusively alluded, as he did, to here-and-now blessings. These are the same blessings that Yishaq bestowed upon Ya'aqob, and are also the ones promised by the Law as reward for the righteous. Selomo, contemplating life's tribulations, but not foreseeing another and better one in the hereafter, considered the stillborn more fortunate than all men [cf. Eccl. 4, 3].

After 'Abraham had vanquished and despoiled the five kings of whom Genesis speaks (chapter 14), God appeared to him and said:

[...] 'Fear not 'Abraham, I am thy shield, thy reward shall be exceedingly great'. And 'Abraham said: 'Lord God, what wilt Thou give me, seeing I go childless?' [...] [cf. Gn. 15, 12].

Taken literally, we seem to have here a temporal promise made at a time when 'Abraham had good reason to be afraid of powerful, outraged enemies. In this context, 'Abraham, seeing himself childless, appropriately responds: "Lord God, what wilt Thou give me [...]?" And again, further on in the same chapter, when God promises him the inheritance of the land, he responds:

[...] whereby shall I know that I inherit it? [Gn. 15, 8].

Thus, in the previously cited verse, temporal promises such as victory over enemies, peace and inheritance of the land are implied. 'Abraham's response is partly that of one who feels no need for such a great reward, seeing he has no heirs, partly that of one who thinks

it undignified to require, as it were, an advance. So God, coming to the rescue of 'Abraham's weakness and doubt, has him make that mysterious sacrifice recounted there, and shows him in prophetic vision the vicissitudes that would befall his descendants, who would be without number.

But we could also interpret this passage figuratively, to signify spiritual riches, without doing violence to 'Abraham's response: "Lord God, what wilt Thou give me?" In that case it would mean: "Since I am deprived of children, which is the chief temporal boon, how do You come to promise me spiritual ones? For if my merits did not stretch far enough to earn me the inferior rewards of this world, how can I hope to obtain those of a higher category?" Moreover, 'Abraham well knew that for bliss to be perfect, it must include both spiritual goods for the soul in the world-to-come and also offspring here below. The psalmist says of the righteous God-fearing person:

His soul shall abide in bliss and his seed shall inherit the earth
[Ps. 25, 13].

So 'Abraham spoke well. Though he did not doubt the spiritual nature of the promise, he mentions his childless state so that God might rectify it and thus render his bliss total and perfect, a wish that was indeed to be realized in the fullness of time. Aside from many other convincing proofs¹ which can be adduced to show that 'Abraham knew of and awaited the bliss of the world-to-come, what better one is there than the sacrifice of Yishaq? For what reason, pray, did 'Abraham agree to sacrifice him? If it was in order to obtain a reward, tell us what reward! If to have his own life prolonged, let us remember that he was an old man, already tired of life, whose worldly illusions had been dispelled by trials, troubles and wanderings. Worldly goods? He had many more than he needed and none could compensate for the loss of that son. And if nevertheless we were to concede that 'Abraham had in mind some worldly consideration — even though in truth he had none and could not have had any — what are we to say of Yishaq, a youth in the flower of his age? Why did he allow himself to be killed? Because he was fearful of some harm that would befall him if he disobeyed his father? But surely no harm could exceed the immediate death to which he voluntarily exposed himself! Surely it would have

¹ It is regrettable that da Silva did not see fit to enumerate these proofs, especially if they could have gone any way to rescue his faltering position.

been an extraordinary act of foolishness on his part unless it was to obtain the reward of that bliss in the hereafter which God holds in store for the righteous who so fear Him as to give up their lives for the sanctification of His holy name. No person with any sense would try to refute this argument. As for the allegation that God's promises refer exclusively to temporal riches, it is untrue, because they certainly can be shown to include those of a spiritual nature. This is why the blessing given by Yishaq to Ya'aqob begins with the conjunction "and":

And may God give thee of the dew of heaven [...] [Gn. 27, 28]

a sure sign that previously another blessing had already been vouchsafed him. If this were not so, the conjunction would be out of place. In fact Yishaq's earlier blessing is expressly referred to in the preceding verse: "and he blessed him." One may be sure that when the words "to bless" or "blessing" are used absolutely, without an explanation as to what sort of blessing is being given, it involves spiritual riches. A blessing involving temporal riches is never expressed absolutely but rather specifies these benefits one by one. An example of this is the verse which says that after 'Abraham's death:

[...] God blessed Yishaq his son [...] [Gn. 25, 11]

and it is not explained with what He blessed him, because the blessing consisted of spiritual riches.

The adversary adduces Qohelet 4, 3 to claim that Selomo, "meditating on the evils which occur in one's life-time, but not foreseeing another and better one in the hereafter, considered the stillborn more fortunate than all men." This paraphrase is totally absurd and demonstrates a complete misunderstanding of the text's intent. In many other places Selomo shows that he did not hold such an opinion. In the preceding chapter of Qohelet Selomo had introduced a wicked Epicurean² who claimed that human life has many

² The term "Epicurean" is an anachronism if Ecclesiastes is to be attributed to king Solomon: Epicurus died in 270 B.C.E. and king Solomon lived in the 10th century B.C.E. (Modern scholarship, however, places Ecclesiastes in the third century B.C.E.) Whether or not da Silva is aware of these dates, he is probably here using "Epicurean" as a generic name for scoffers and unbelievers, much like the Talmud and Leon Modena use the cognate word *'apiqoros*. This, in fact, is the very epithet by which Modena described da Costa in *magen ve-sina* ("These are the replies I have sent to the *'apiqoros* [...]").

characteristics in common with that of an animal (in this latter category one might well place the Epicureans themselves). Selomo concludes in this passage by saying that it would have been better for such a person not to have been born, because his birth was for evil, since he was only preoccupied with his bodily appetites. The Sage holds it a lesser evil to be deprived of everything than to lose one's soul. But those who are born for righteousness and the service of their Creator seek bodily satisfactions merely as a vehicle to attain spiritual beatitude. For them that same Sage predicts and promises the great riches of the world-to-come:

[...] the day of death is better than the day of one's birth [Eccl. 7, 1]

because to be born, even if one is to enjoy temporal goods, invariably entails anxieties and troubles here below, but when one dies a new life begins in which one enjoys the spiritual riches of the world-to-come, where for the blessed all is bliss, without any blending with the evils which attach to the goods of this world.

Chapter 14

The Souls of the Blessed Enjoy Glory and Praise God

Our adversary goes on to say:

The Psalmist writes: "Wilt Thou perchance perform wonders for the dead? or shall the lifeless arise and thank Thee? Shall Thy kindness perchance be told in the grave, Thy truth in perdition? Shall Thy wonders perchance be acknowledged in the darkness, and Thy righteousness in the land of forgetfulness" [Ps. 88, 11-13]? So, he denies that the dead are able to praise God and to rise for that purpose, for in their dwelling-place there is neither life, nor spirit. The grave is a land of perdition, a land of darkness and forgetfulness; only the living are able to praise God: "The dead do not praise the Lord, nor those that go down into the silence. But as for us we, the living, we will bless the Lord [...]" [Ps. 115, 17-18] and for this reason the vanity and misery of such a feeble and short-lived creature are repeatedly put forward as a plea for His mercy and compassion: "Behold, a few handbreadths hast Thou made my days, and my duration is as nothing before Thee: yea, as nought but vanity doth every man stand here [...] As but a shadow

doth man walk about [...] Hear my prayer, O Lord, and my cry; take note of my tears, do not turn away Thine ear; for a stranger am I with Thee, a sojourner like all my fathers. Leave off from me Thy punishment, that I may recover strength, before I go hence, and am no more" [Ps. 39, 6-7; 13-14]. And, in another place: "And He, being merciful, is forgiving of iniquity and does not destroy; yea, many a time He turns His anger away and awakens not all His fury. And He remembered that they are but flesh, a spirit that passeth and returneth not" [Ps. 78, 38-39]. And Iyob said: "My days were swifter than a weaver's shuttle and came to an end in the absence of hope for obtaining more. Oh remember that my life is but a wind; my eye will never again see happiness: The eye of him that saw me will behold me no more; Thy eyes upon me and I cease to be. The cloud vanished and passed away; so will he that goeth down to the grave not come up again. He will return no more to his house nor will his place recognize him any more" [Job 7, 6-10]. And further: "I loathed it with the sick man's aversion for food; I cannot live forever: leave me alone scourge me not, for my days are but nought" [Job 7, 16]. The same idea is expressed in chapter 14 and in countless other places [in Job], as well as throughout the Psalms; all of them concurring that man's life is brief and that there is no expectation of another after this one: "For there is hope for the tree: if it be cut down, it may still sprout again, and its young shoot will not cease. If its root become old in the earth, and its trunk die in the dust, through the scent of water will it flourish, and produce boughs as if it were newly planted. But man dies and is powerless and when man departs, where is he? The waters run off from the sea and the river fails and dries up. So man goes to sleep and will not rise; till the heavens be no more they will not awake and will not be roused out of their sleep" [Job 14, 7-12]. This is like saying: even if one could imagine the waters of the sea failing one day and torrential rivers drying up, it is still impossible to imagine man returning to life; not as long as the heavens subsist — that is to say: never will he awaken from the deadly sleep that awaits him. It is because this sleep is so deep and so long, that David said to the Lord: "[...] enlighten my eyes, that I may not sleep the sleep of death: lest my enemy say: 'I have overcome him'" [...] [Ps. 13, 4-5] [This is like saying:] 'Thou, O Lord, seest that my enemy does not cease from pursuing me; I might easily fall prey to him. Do Thou enlighten my eyes so that I might see where I tread and guard me from him lest I sleep the sleep of death; lest that sleep befall me from which one does not awaken; lest my enemy boast that he has prevailed over me.' So from all this it is evident that once he is dead, nothing remains of a man, nor does he ever return to life: "For when the numbered years are passed, then must I travel a path from which there is no return" [Job 16, 22] [This is like saying: 'The brief, numbered days of my life] will end and I shall go the way of all flesh on the road that is a one-way street.'

Many of the Scriptural verses here marshalled to prove the corruptible nature of the soul have very little pertinence to the question at hand, indeed, they are quite irrelevant. The only thing they do prove

is that human beings die and there was no need to prove that fact. Thus we will limit ourselves to commenting just upon those verses which might otherwise furnish some semblance of support — however weak — for our adversary's thesis. So, disregarding the greater part of his proof-texts, which even to him seem inadequate, and which do no more than show the brevity of man's life and the days of his years to be limited, let us turn to those passages by which he lays the greatest store. It is written:

Wilt Thou display wonders to the dead? [...] [Ps. 88, 11].

It would seem not, from what follows:

Shall Thy mercy be related in the grave? Thy faithfulness in the place of perdition? [Ps. 88, 12]

which he interprets as: 'let no one believe such a thing because for the dead there will be nothing of the kind'. On the surface this combination of verses gives an impression which might deceive someone who interprets them all as a total negation of the hereafter. But the falsehood becomes apparent to one who learns to perceive the great distinction between the verses. For the first one is in respect to what God will do for the dead and the others are in respect to what the dead will do for God. Thus, the first question:

Wilt Thou display wonders to the dead?¹

is to be understood rhetorically, requiring an affirmative answer: 'Yes, He will!' and the other questions require a negative response: 'No, in the grave those things which the Psalmist is asking about are not done'.

So the Psalmist, in a state of anguish and affliction, is asking:

Wilt Thou display wonders to the dead?

as if to say: 'I am not raising the question because I have any doubts about this matter! Well do I know, O Lord, that You perform marvels for the living and for the dead. Yet let those which You will perform for me after death not be granted at the expense of those which You might otherwise perform for me whilst I am alive. Pray perform marvels for me now and save me from imminent danger!' The Psalmist

¹ Da Silva neatly glosses over the second part of this verse.

immediately supplies the reason why God should perform favours and mercies on his behalf before he dies. That reason is that as long as he is alive he can praise and serve Him, things that cannot be done in the grave, as the ensuing verse shows:

Shall Thy mercy be related in the grave? [...]

and confirmed by:

Not the dead can praise the Lord, nor all those that go down into the pit [Ps. 115, 17]

as if to say that the soul which God puts into human beings, as long as it is attached to the body, can perform works through which God can be praised and through which a person may serve Him and merit reward, but among the dead there will be nothing of the kind. So this is a sort of admonition to the living that they may return to God and try to do meritorious works while they yet live, for after death there is no earning of merit, or accounting, or memory of anything that could profit the soul. Keeping this in mind, our Sages, with their erudite and enigmatic pithiness, declared one hour of repentance in this life to be worth more than all the lives of the world-to-come. They were referring, of course, to merit and pardon, which after death there are no longer any means or occasions for winning.

After all, what does the 7th chapter of *Iyob* point out if not the brevity and inconstancy of human life? And, as to what our adversary derives from chapter 14 of *Iyob*, namely that man will not rise again as long as the heavens subsist, it is great arrogance on his part to assure his readers that the heavens will never come to an end and that, consequently, the dead will never rise. On the contrary, the verse in *Iyob* assures us that — although the dead will not arise as long as the heavens subsist — once the heavens come to an end the moment will have arrived for the dead to be raised. That the heavens must, in fact, perish and pass away, is clearly revealed by the verses:

These will perish, but Thou wilt exist, and all of them will wear out like cloth, like garments wilt Thou change them, and they will be changed [Ps. 102, 27]

and:

For as the new heavens and the new earth, which I will make, shall have permanence before Me, saith the Lord, so shall exist permanently your seed and your name [Is. 66, 22]².

The words:

[...] my eye will not again see happiness [Job 7, 7]

cannot be understood to imply a negation of resurrection, because Iyob had never seen its bliss and therefore cannot be referring to it when he says that he will not see it again with his eyes. Therefore he must be speaking here of happiness which he had seen and possessed previously. Were we nevertheless to concede that in speaking of this happiness he was referring to the resurrection of the dead and that he herewith explicitly denied his having a share in it, then this constitutes a most effective and clear proof of its existence! For if we accept the interpretation that he denies his share in it only under pressure of affliction and anguish, he repents and publicly recognizes its reality at his friends' remonstrations, when he says:

Who knew not through all these that the hand of the Lord has wrought this? in Whose hand is the soul of every living being and the spirit of all the flesh of man? [Job 12, 9-10].

Since he uses different words when referring to the souls of animals and those of humans he clearly indicates the difference which he now knows to exist between them, and declares that the human soul will live forever:

If He were to set His heart upon him, He would gather unto Himself his spirit and his breath. All flesh would perish together and man would return unto dust [Job 34, 14-15]³.

² If da Silva wishes to infer from this verse in Isaiah that the present heaven and earth will be replaced by a new permanent heaven and earth, that would mean that there are two pairs of "heaven-and-earth" which succeed each other. That being so, the verse from Job and the verse from Psalm 102 lose much of their usefulness to his argument, for Job may be speaking of the second permanent heaven, while Psalm 102, of the transitory first one (cf. *Yalkut Simoni* to Is. 66, 22). This passage may have kindled the idea for da Costa's epilogue on the eternity of the world.

³ Da Silva implies that Job speaks these verses, an error for which he will be taken to task in da Costa's chapter 12.

In this passage he consoles the righteous man, afflicted by troubles, and encourages him to be steadfast and to accept them from God's hand, because his soul will be gathered up when he dies and have its reward in the world-to-come, even though he failed to receive any in this world. And, while all other creatures are consumed, only man, though he be buried under the dust, will again rise above it and live.

Chapter 15

Concerning the Irrelevance of Several of the Adversary's Allegations

Our adversary goes on to say:

Those who claim that the human soul is immortal often respond to some of our arguments by excluding the body from immortality and establishing certain specious distinctions, which do not withstand examination. Thus they explain God's words: "thou art dust and to dust thou shalt return" [Gn. 3, 19] as being addressed to the body and not to the soul: a comic argument. In reality, God spoke to the human consisting of body and of the spirit of life, and it was to this total human being that He declared and made known that human years are numbered and that dust remains dust, never to be raised, thereby leaving no hope for immortality. This is why 'Adam has never again risen, having slept for so long, nor will he rise as long as the world and the skies above it subsist: that is, for all eternity. They, however, similarly misinterpret the Scriptural texts which say that the dead cannot praise God [cf. Ps. 115, 17], namely, that they cannot praise Him corporeally. But if that were the case, it would be false to say that the dead do not praise God, because a clean spirit, detached from the body, could praise Him better than one embodied. It would also be useless to present to God, by way of a plea for compassion, the argument concerning the brevity and vanity of man's life, if after death the soul, or spirit, survives to begin a new life — blissful, eternal and undisturbed. But it is precisely because this is not so that any afflicted person may say: "Remember that my eye will not again see happiness" [Job 7, 7]. When they get to verses such as: "And He remembered that they are but flesh, a spirit that passeth and will not return" [Ps. 78, 39], they interpret them to mean that the spirit will not return to enter that mortal body, but will return to enter an immortal body. They do not see, however, that if the spirit were to return to such a body, it

would be an even fuller return, and then that return could never be designated by the words "will not return." Their absurd distinctions and subterfuges merely serve to avoid facing the overwhelming truth. Indeed, 'Abraham said: Behold now, I have begun to speak unto the Lord, though I am dust and ashes" [Gn. 18, 27]. Now, had 'Abraham's spirit been immortal and destined for an immortal body, then 'Abraham would not be dust and ashes, nor could he truthfully have described himself as such. Rather would he have been an immortal creature and, as far as the body is concerned, considering its relatively minor importance, he should not have borrowed its name to call himself dust, for things generally take their names from their dominant and most valuable component. The principal part of man is his spirit. If it is immortal and a being unto itself, then man too is immortal and should not call himself dust, though his body be dust, especially if it is given him only for a limited span. Knowing his transitory and corruptible state, 'Abraham was doubly aware of it when he had to talk to God. Then, more than ever, he humbly acknowledges and confesses his unworthiness. In the same way are to be understood the words: "[...] thou art dust and to dust thou shalt return" [Gn. 3, 19]. These words could not have been used to describe the man of flesh and bones with whom God was speaking if his spirit were immortal, for then he would not become dust. Selomo well realized this when he said that man has no pre-eminence over a beast as regards permanence, for all is vanity: "The fate of the sons of men and the fate of the beasts, indeed the same fate befalleth them; as the one dieth, so dieth the other; yea, they have all one kind of spirit; so that the pre-eminence of man above the beast is nought; for all is vanity" [Eccl. 3, 19]. The imaginative commentators, to explain away this verse, say: "all is vanity, except the soul"! This explanation of theirs ties in very nicely with all the rest of the verse, wherein is demonstrated that the human being is in no way more permanent than the beast, that man and beast have the same kind of spirit and that, consequently, all is vanity: "Everything goeth unto one place: everything came from the dust, and every thing returneth to the dust. Who knoweth that the spirit of man ascendeth upward and the spirit of the jument descendeth under the earth" [Eccl. 3, 20-21]? 'When all is said and done, I came to the conclusion that there is nothing better for man than to enjoy the work of his hands and that this is his portion; nor does he derive any other profit from his existence': "And so did I perceive that there is nothing better than that a man should rejoice in his own works: for that is his portion [...]" [Eccl. 3, 22]. Man is not granted another life; with the one he now has he must make do. If he wishes it carefully kept, let him fear God and observe His commandments [cf. Eccl. 11, 13]; thus will he enjoy the fruit of his labour.

Our latter-day sophist accumulates sham arguments and counter-arguments on which no one but an idler will waste his time. What difference does it make that the human body is formed from dust and to dust must return, as far as the soul is concerned, which never had anything to do with dust, either upon entering or leaving the body? Nor

was the body itself ever literally dust. If it had been, 'Adam would not have said of Hava:

[...] bone of my bones and flesh of my flesh [...] [Gn. 2, 23]

and would, instead, have said "dust of my dust." It is simply ridiculous to attempt to respond to this argument by saying "God spoke with living man when he called him dust: therefore He included the soul which is part of living man," for whoever heard of speaking [with] the dead? ¹ Now with the living, many things are discussed which pertain exclusively to the body, though the soul be present when they are said. For example, when a person is told to eat, drink or sleep; when he is told that such and such an illness will befall him; the addressee is a total human being. As such he is possessed of a soul, to be sure, yet none of these communications concern his soul. Similarly, the sentence pronounced upon the man of dust: "you are of dust and shall be returned to dust," does not extend to the soul. In any judgment of human beings it is meet that they be reminded of their body's origin. Let them never forget it, nor let them be fooled by seeing it in a state so far removed from its base origin, which was dust. For to dust it shall return, no matter how healthy, honoured, beloved and exalted it happens to be at any given time. Now, those who interpret the verse:

The dead will not praise God [...] [Ps. 115, 17]

to mean that this applies only to their bodies, explain it well and I myself have earlier expatiated on this. Scant attention is warranted by his silly argument that if the dead could praise God spiritually they would do so more effectively and that the Psalmist should indeed have said: "The dead will praise God." Our adversary, as is his wont, jumps to conclusions and imagines that we would have the word "dead" designate those blessed souls which have been freed and unburdened of their bodies. The angels praise God continuously, as Yesa'yahu testifies, who saw the Lord seated on a high throne with seraphim

¹ The Portuguese text reads: *não há no mundo falar o homem morto* ("whoever heard of a dead man speaking?"); this makes no sense. Possibly the word *com* has fallen out. However, if *com* is to be supplied (or adopted), an inconsistency is created, since da Silva believes in communication with the dead (*e.g.*, Saul and Samuel).

standing above Him, crying out to one another, exalting the Lord and saying:

[...] Holy, holy, holy is the Lord of hosts, the whole earth is full of His honour [Is. 6, 3].

And Yehezqel:

Then a spirit took me up and I heard behind me a voice of great rushing: "Blessed be the honour of the Lord from His place." [Ezek. 3, 12].

So, who can doubt that the souls of the blest, once separated from their corporeal prison, also have their own way of praising God, and of contemplating and perceiving Him each one in his measure, as behoves truly angelic spirits? Assuredly, in this contemplation of the divine essence lies the soul's peculiar and true glory.

But even at this point our captious adversary does not call it quits and picks up again a useless argument which we had ignored, tired out by so many verses cited seemingly without any good reason, except to show that man's life is transitory and his days fleeting. He says that because they knew there is no afterlife the holy men of the Bible prayed God to have compassion and pity on them in this life, to save them from death and to lengthen their days. He is so infatuated with this nonsensical argument, that he sooner adds heresy to heresy than renounce it. So he goes on to posit that if the soul which has been separated from the body praises God, then the plea based on the brevity of human life, used so often in appealing for God's compassion, would be invalid.

It really is no great matter to refute this line of reasoning, which is just as absurd as so many others he exerts himself to concoct. When David, begging God not to cut him off in the midst of his days, says, for example:

[...] Lord [...] lighten my eyes lest I sleep the sleep of death [Ps. 13, 4]

is it conceivable that what he so earnestly besought was merely the enjoyment of a few additional years on earth? Is it not more reasonable to suppose — and this indeed is the truth — that it was to merit and attain, through observance of the Law and its precepts as well as through contrition and repentance, the bliss of the world-to-come? Now if this were not so, if David indeed only pleaded for his life in order to enjoy this world a little longer, why then did Mose, 'Eliyahu and Yona beseech God to grant them death? Did these three have a different faith and adhere to a different doctrine from David's? No! All of them aspired

to and languished for the same goal of spiritual riches: David, supplicating for an extension of life in which to earn more merit; the other holy men, impatiently supplicating for death so as to enjoy them immediately. The verse:

[...] a spirit which passeth and returneth not [Ps. 78, 39]

clearly gives us to understand that through its own efforts and initiative it will not return, but why should it not return by God's command? Just because its body has been done away with, as this ignoramus claims? This is a great falsehood, exposed and demonstrated by the very word "passeth" which he alleges in favour of his thesis. For if it passes, then it certainly has a different essence and different qualities from the body, which remains behind motionless and without attributes. The spirit, on the other hand, separates itself to such an extent that it stirs, moves and goes, using properties of its own: a characteristic which can only be understood to belong to something which has actual existence.

The "proof" derived from the story of 'Abraham, who, in speaking with God, admits that he is but dust and ashes, is peculiar to this subtle commentator. Ashes were no ingredient of 'Adam, nor did he ever turn into them. For just as God said to 'Adam that he was dust and would return to dust, so God would also have mentioned ashes, had ashes been a constituent part of 'Adam. But 'Abraham wanted to show his extreme humility and submission as is befitting in the presence of the divine majesty. So he employed these words, expressive more than any others of human wretchedness and fragility. For the human body, once abandoned by the soul, is left just as useless and unprofitable as dust mixed with ashes.

As to Selomo [Eccl. 3, 20-21], besides what we have already said about these verses², it is clear that they refer exclusively to the body, for they tell us that everything came from the dust and will return to the dust and the Preacher well knew that the soul of man never was nor will be dust. When he asks — and seemingly leaves the answer doubtful — "who knows whether the spirit of man goes upward and the spirit of the jument goes downward?", it is not because he does not know the answer, for elsewhere he himself says that the spirit will return to God who gave it. The purpose of the question is rather to

² In chapter 13 da Silva claimed that the materialistic verses in Ecclesiastes (*e.g.*, 3, 20) do not represent the opinion of the author (king Solomon) but that of an "epicurean" whom the Preacher intends to refute.

provide the Epicurean³ with an opportunity to condemn himself and the pious person with a chance to reaffirm his piety and his commitment to the observance of God's commandments and His Law. All this is epitomized at the end of the book where we are enjoined to fear God and keep His precepts.

Assuredly the appropriate rewards for observing the Law and its commandments are only those to be enjoyed in the hereafter, and no others. Granted, the Law does promise — because of their visible and palpable nature — temporal rewards to those who adhere to it, yet these are no real rewards. Witness the fact that those who do not fear God or keep the Law also possess and enjoy them — in some cases in a greater measure than God-fearing Israelites. 'Abraham said to 'Abimelek:

[...] because I thought: "surely the fear of God is not in this place" [...] [Gn. 20, 11]

and yet neither 'Abimelek nor his compatriots suffered any lack of temporal goods; on the contrary, they enjoyed a great abundance of them. The Egyptians and other depraved idolaters and sorcerers enjoyed unlimited riches.⁴ It would be superfluous to adduce more examples of such a well-known reality which can be ascertained at all periods, in the past and in the present. That is why Selomo posits the ultimate purpose of man's existence to be "fear God and keep His Law." He was well aware of a better and greater reward for such observance than temporal riches, which are also imparted to those who have neither Law nor any fear of God.

³ Cf. *supra*, chapter 13, note 2.

⁴ Da Silva either considers long-term prosperity the only measure or he chooses to ignore the visitation brought upon Abimelech and his household (Gn. 20, 18) and that of the 10 plagues.

Chapter 16

*Which Contains the Adversary's Curious List of Arguments,
the First of his Counter-Arguments as well as its Refutation*

Our opponent continues:

Chapter 24 ¹

Containing the Arguments Adduced by Those who Say that the Human Soul is Immortal and that the Dead will be Revived, and the Replies that are Made to Them.

And he goes on:

Those who proclaim the immortality of the soul and resurrection are like people who want to climb a smooth wall without a ladder. Since there is nothing to grasp, every time they stick out a hand or think they have a foothold, they slip and fall. That this is the case will become evident when we consider their arguments, which now follow:

1. Human beings were created in God's image. God is immortal. Therefore, they must also be immortal, or they would not be created in God's image.

2. The creation of man was not similar to that of other animals, for "God breathed into his nostrils the breath of life" [Gn. 2, 7]. Therefore this breath is immortal.

3. God said to man: "On the day that thou eatest of the tree thou shalt die" [cf. Gn. 2, 17]. Had 'Adam not eaten, he would not have died. Therefore he was created immortal.

4. Mose said to God: "If Thou wilt not forgive their sin, blot me out from Thy book which Thou hast written" [cf. Ex. 32, 32]. In that book are inscribed those who are granted eternal life and it is those who live in the "land of the living."

5. Semu'el came back to speak to Sa'ul [1Sm. 28, 7-20]. Therefore the dead are aware and speak.

6. 'Eliyahu was carried off to heaven and is alive. 'Elisa^c revived a corpse.

7. In the Psalms we read that the wicked will be destroyed from the face of the earth and the righteous will flourish. Therefore there must be another life in store for us, because in the present one the

¹ I.e., Chapter 2 in da Costa's extant book.

wicked flourish and the righteous suffer; thus, the wicked are not punished nor are the just rewarded.

8. It is written: "For Thou wilt not abandon my soul to the grave; Thou wilt not suffer Thy pious to see the pit" [Ps. 16, 10]. Similarly: "How great is Thy goodness which Thou hast in store for those that fear Thee [...]" [Ps. 31, 20].

9. It is written: "Thy dead shall live [...]" and right after: "[...] the earth shall cast out the departed" [Is. 26, 19]. Similarly: "[...] Behold, I open your graves and I will cause you to come up out of your graves, O My people [...]" [Ezek. 37, 12]. Similarly: "And I know that my Redeemer liveth and last I shall stand on the dust. And after they crush this skin of mine, from my flesh shall I behold God. Whom I shall myself behold and my eyes shall see and not a stranger; my reins grow weak within my bosom" [Job 19, 25-27]. Daniel also prophesied the resurrection of the dead.

He goes on to say:

To the first argument, viz. that man could not be described as created in God's image unless he were immortal, we reply that one has to be mad to imagine man to be made in God's image in every respect. Thus, while God is omnipotent, the creature made in His image obviously is not. Otherwise, if we were to consider man to be an image of God instead of a creature in His image, man would, of necessity, be God! But how can anything created be completely like the Creator Himself? To be simultaneously God and created is impossible. The greatest mystery is that even He, with all His power, could not make another His equal. Man is an image and likeness of God in so far as he is a shadow of His wisdom, but not Wisdom incarnate. He has dominion over other beings and in this respect too he may be likened unto God, but his dominion is not identical with God's. Neither is he an image of God as regards immortality, for that is a divine, not a human attribute: "Are Thy days perchance as the days of humans; Thy years as the days of a man" [Job 10, 5]? Iyob could not have said this if the spirit of man were immortal [...].

The Law's testimony that God created man in His image and likeness, should have sufficed to render this work of ours superfluous for that testimony precludes all doubt concerning the immortality of the soul. If the Epicureans, with whom this evil belief in the mortality of the soul originated, had known the Law and believed in it, it would never have crossed their minds to deny immortality, for they were not so lacking in discrimination and in the rudiments of philosophy as to deny the force of conclusive arguments such as the following: God made man in His image and likeness, not in respect to the body (for in God there is neither a body nor the likeness of a body), but in respect to the soul. Consequently, it is the soul of man which is like unto God.

Let us now carry this a step further: if the human soul is like unto God, it must have something of the divine essence. Not all of it; for then the soul would not be "like unto God", but would be God. Now then, God is an omniscient, immortal, separate substance. Therefore the soul will possess just enough of these attributes to make it like unto God, but with the following differences: in God, being the Creator, everything is infinite; in the soul, being a creature, everything is limited; in God, everything is self-existent; in the soul everything is by God's creation. This being the truth and the Law, it is impossible to imagine that a man who opposes them with the above-cited arguments is in his right mind.

Nor is there any validity to the possible objection on his part, namely, that, in the attribute of immortality, we are equalizing the soul with God: if the soul is eternal, wherein lies God's superiority? We would reply that the great superiority consists in God's immortality being intrinsic, whereas the soul's was given it by God.² And, since He gave it, it had a beginning and thus there still remains between God and the soul an infinite distance, as between that which had a beginning and that which had none. That is why we say that God lives in eternity, because He had no beginning and will never end, but the souls and the angels live in an aeon, because they had a beginning but will not end. Here below everything lives in time, because all has a beginning and an end. This argumentation makes it quite clear that the soul is immortal because it is made in the likeness of God. Otherwise, if it had a beginning and an end (a senseless opinion), wherein would the likeness consist?

See how the antagonist's silly arguments confound him. Unable to get around the statement in the Law that man is similar to God, he resorts to saying that man "is almost similar, but his dominion is not like God's," all the while pretending or imagining that his opponents claim that man is God. This opinion which he attributes to us is as fictive as the following splendid dialectical deduction which he might just as well attribute to us: the soul is like unto God, therefore, the soul is God. Then he might go on to make us say: lime is similar to snow, therefore

² That the soul is not immortal by its own nature (as is God), but, rather, mortal by nature and dependent upon God for its immortality, is a point stressed by many Fathers of the Church. Cf. H.A. Wolfson, "Immortality and Resurrection in the Philosophy of the Church Fathers," *Religious Philosophy*, Cambridge (Mass.), 1961, 69-103: 71-76.

the crystal, or the diamond, is a sun. The verses he cites wherein Iyob says that the days and the years of man are limited are quite irrelevant as regards the soul, for at the end of those days man's soul reattaches itself to God Who created it and with Whom it has an affinity.³

Chapter 17

The Human Soul Has its Own Name Which Distinguishes it from That of Brutes

Our adversary goes on to say:

Argument 2: "The creation of man was not similar to that of brutes, for 'God breathed into his nostrils the breath of life' [Gn. 2, 7]. Therefore this breath is immortal."

We reply that the argument is unconvincing and illogical, because it does not follow that the spirit which gave life to 'Adam's soulless body was an immortal one. Rather, the context shows that beasts and man have the same spirit, because at creation God said: "Let the earth bring forth a living soul [...]" [Gn. 1, 24] and at the time of man's creation, having already breathed into him the vital spirit, God said: "[...] and man became a living soul [...]" [Gn. 2, 7]. Thus we see that the same word is used in both places and, as Selomo says: "[...] yea, they have all one kind of spirit [...]" [Eccl. 3, 19]. It was quite appropriate for God not to have shaped man out of clay together with the brute beasts, as He might have done, so that rational man, partaker of Divine wisdom, who lords it over them should not be part of their herd. Thus shall he learn from the manner of his creation, to be different from them in his life-style. Further differences — and all for pedagogical purposes — may be found between the creation of man and that of beasts. God created only one of his kind, rather than many, and gave him a wife whom he extracted from him. All these things teach him manners but have nothing to do with being mortal or immortal. If 'Adam had been alive when God breathed the "spirit of life" into him, we might have concluded that that spirit was separate and distinct from the animal spirit which already animated him. However, 'Adam did not stir before the vital spirit entered him. Therefore the vital spirit which entered

3 Cf. at the close of (1624).II.13 where da Costa catches da Silva's inconsistency.

'Adam was the animal soul, and that identical animal soul was a rational soul. It all overlaps to such a degree that as soon as the animal soul enters man, his faculties, known as the rational soul, take hold: "I will praise the Lord during my life; I will sing unto my God while I have any being" [Ps. 146, 2] 'for after I cease existing, I shall not be able to sing'. "His spirit will depart, he will return to his earth; on that day his thoughts perish" [Ps. 146, 4]. On the day of a man's death, all his fair words will end, he will no longer ratiocinate. Ecclesiastes: "Whatever [thy hand] findeth to do, that do [with] thy might; for there is no work, nor reasoning, nor knowledge, nor wisdom in the nether world whither thou goest" [Eccl. 9, 10]. On the day when man dies, everything ends with him. Mortal and finite was the spirit which God gave him: not immortal and infinite; therefore he dies; whereas if it were otherwise he would not die. Iyob: "If He were to set his heart upon him, He would gather unto Himself his spirit and his breath. All flesh would die together and man would return unto dust" [Job 34, 14-15]. Likewise of other animals: "[...] Thou wilt gather up their spirit, they will expire and to their dust they will return" [Ps. 104, 29]. When God gathers up and takes away the spirit, then man, a rational animal, just like any non-rational animal, is extinguished and comes to an end. In order to discredit this truth, some say that one might then just as well be a dog as a man. These people deserve to be painfully stripped of the being which God gave them, since they have so little self-knowledge and self-respect, that they transform themselves from the dog's masters into his equals, just because God did not grant them eternal life — as if it were owing to them. A certain poet put it better in a *romance*: "Mortal did my mother bring me forth / So that I could have died at once / That which Heaven gave thee as a favour / Do not claim it as thy right."

Although our misguided and impudent adversary knows no Hebrew and has obstinately refused to learn it, nevertheless the original Hebrew text of Scripture will have to be considered at this point and explained clearly enough for him to understand. Holy writ, discussing the formation of man, says:

And God breathed into his nostrils the soul of life [cf. Gn. 2, 7]

using the word *nesama* to express "soul." And *nesama* refers always to the human soul and not to that of the brute, which is called *nefes*. Accordingly, Yesa'yahu says:

[...] and souls I made [Is. 57, 16]

using the word *nesamot*, which is the plural of *nesama*. Similarly:

Every soul (*nesama*) praises the Lord [...] [Ps. 150, 6]

and

The soul (*nesama*) of man is a candle of God [...] [Pr. 20, 27].

God inspired *nesama* into the human being, as it says [in Genesis 2, 7]: *nismat ' hayyim*, “soul of lives,” — which incidentally also shows that it is for more than one life. Now it is true that the human soul is here and there designated *nefes*, but for this there is a special reason, which will be set out anon. This linguistic nicety — the distinction between *nefes* and *nesama* — shows that those unskilled in the Hebrew tongue who would treat of these matters grope in darkness like blind people who stumble and fall flat on their faces every few moments. This describes a certain ignoramus who, priding himself on his subtlety, will no doubt retort:

‘Where is the consistency of your distinction? The human soul which ought to be called exclusively *nesama*, is in the very same place also called *nefes* which, according to you, denotes the soul of brutes. For Scripture says:

[and God breathed into his nostrils *nismat hayyim* (soul of lives)] and the man was *lenefes haya* (for living soul) [Gn. 2, 7]

so, they are one and the same, implying that the two terms, *nefes* and *nesama* are interchangeable. For when God commanded the earth to bring forth animals, the expression employed is *nefes haya* (living soul), the same phrase used for humans in the last clause of Genesis 2, 7.²

Listen attentively and learn. The difference between the corruptible human body and the *nesama*, or immortal and divine soul, was so great, that it seemed inconceivable for a union to exist between such opposites. Hence, the Platonists, for example, denied it, as we saw above. Lest we too should be incredulous of the reality of such a union, it was necessary for Sacred Writ to show it forth, by saying, as it did, that God inspired in human beings a *nesama*. If not for the Bible telling us this, we would suppose it to be repugnant to an immortal *nesama* to unite with the body and in so alien an environment to activate

1 *nismat* is the construct form of *nesama*.

2 Cf. also Gn. 9, 10 where *nefes ha-haya* designates animals. As we have seen, da Silva had already taken cognizance of the threat to his system posed by the Bible's use of *nefes* when referring to the human soul. Yet he first has to put this challenge at a remove from himself, apparently out of a reluctance to identify with it. Hence this literary device of placing the objection into the mouth of da Costa.

un-bodylike functions such as perception and reasoning. To dispel any lingering doubts Scripture adds: "and was for living soul." It does not say: "was living soul" or "was *nefes haya*" (which is the soul of brutes), but rather "was for soul" or "instead of soul," as if to say: 'even though the *nesama* is of such refinement that its proper function is to perceive, it is nevertheless not above carrying out in the human body the function which the *nefes* performs in the bodies of brutes, such as to animate, to feel, to move, etc.'³

As Iyob said:

[...] and the breath of the Almighty gives me life [Job 33, 4]

where the word "breath" translates *nesama*. With this true explanation all the staggering and tottering of this confused blind man (who did in a moment of lucidity, as it were, admit that the human soul partakes of divine wisdom) should come to an end. To claim after this that there is no distinction between it and the soul of brutes would be worse than blindness. But supposing that he still does not budge from his position and that nothing said until now suffices to convince him, why then, in his opinion, were we granted understanding, free will, precepts, the Law, the Holy Land, the sacrificial cult, the Holy Temple?⁴ Surely all these things were meant for us to merit and attain spiritual goods through them. For as to the temporal ones: power, dominion and monetary wealth, the gentiles possess and enjoy them to a greater degree than we. The one thing they lack is the Law for the honour and reward of which Israelites reject their offer of dignities, advantages and pleasures contingent upon its renouncement. They live under restrictions, when they could be enjoying life to the hilt; they suffer poverty, when they could be rich enough to remedy the social ills of the polity; they spend their existence in fear and in exile, when they could be spending it confident and in tranquillity.

3 Da Silva seems to have forgotten that 'Adam (the human) — not *nesama* — is the subject of the last clause of Gn. 2, 7, the text which he is here purporting to elucidate.

4 Da Silva's argument presupposes that the gifts enumerated here could not be meaningfully bestowed on human beings if their souls were mortal. As his argument unfolds, the attraction this fallacy held for him becomes apparent. As we see elsewhere in this treatise, to da Silva it is axiomatic that religion is performed as a means to securing recompense; the only question for him is the nature of that recompense. Thus he is able to pursue his argument the way he does. The possibility that these gifts were granted as ends unto themselves seems not to merit his consideration.

And you, blind opponent, think you are entitled to say that in your case also it is because of the Law that you are suffering exile, loneliness, insults, hatred and adversity, haunted by ghosts which pursue you by day and by night and which will finally make you go out of your mind. Your account is a figment of your imagination. You would be better off leading a high life, seeing that you expect nothing after death. You are, however, mistaken and you will discover this to your great regret when your soul appears before God's tribunal to receive its just deserts. You will end up with two hells. I, who would like nothing better than to deliver you from both, admonish you to seek repentance, to snatch yourself out of the road to perdition, to beg forgiveness from your Creator for your repeated rebelliousness and from your fellow-men for having repeatedly offended and scandalized them. The verses which you adduce out of context, as if it were you exclaiming them:

I will praise the Lord during my life, I will sing unto my God while
I have any being [Ps. 146, 2]

those very verses you should apply contritely to a good purpose. Turn away from your sins while you are still alive and devote yourself to the true study of the Law, in the fear of God, under the guidance of your betters. As it is written:

[...] ask thy father and he will recount it to thee, thy elders and they
will tell thee [Dt. 32, 7].

Do not imagine that you can be the father and the elder! First learn Hebrew and unlearn all those errors into which you have sunk solely because of arrogance and envy. How dare you say that man is master of a dog and that a dog is afraid of man; you would be more afraid of a lion and a tiger than a dog is afraid of a man! And further, how dare you bring romances into matters so serious and of such import? Do you not think you had gone far enough transcribing all those verses from Selomo and Iyob which prove nothing more than that human beings die, a fact for which no proof is needed? Nor does it contradict in any way the truth which you should believe and uphold: God has instilled a soul into you for which you will be held accountable despite yourself, however bitter a pill that will be for you to swallow. As Selomo says:

For every work shall God bring into judgement, on every secret thing,
whether it be good or whether it be evil [Eccl. 12, 14].

The antagonist continues:

Argument 3: "[...] for on the day that thou eatest of the tree thou shalt surely die' [cf. Gn. 2, 17]. Had 'Adam not eaten, he would not have died. Therefore he was created immortal." We claim that the argument is invalid. The verse does not mean that were 'Adam to refrain from eating, he would never have to die; it rather means that if 'Adam would not eat, he would be spared that kind of death with which God was threatening him, but would die a natural death when his time came; in other words, he would not die in advance of his time due to his having infringed the precept. Now when the Law says: 'He who commits such and such an action will surely die,' does it mean that if he does not commit that action he will not have to die? To be sure he has to die, but he will not have to suffer the death which is the penalty for this transgression. Yehezqel says: "[...] if the sinner turns from his way, as I live, saith the Lord [...] he shall not die" [cf. Ezek. 33; 11, 15]. He will not die by the death with which he was threatened, nor shall I inflict death upon him before he has completed his life-span, nor will I inflict upon him the evil death deserved by sinners.' Thus, had 'Adam not sinned, God would not have judged him. But judge him he did, for even though He did not punish 'Adam straight away with the death penalty and prolonged his life out of considerations of mercy, certain penalties were imposed upon him. But even were we to concede that 'Adam had originally been granted immortality (an hypothesis not confirmed by the frailty of his constitution, which needed replenishment by food and drink) on condition that he obey the commandment laid upon him; at the moment when he transgressed it, he would have lost that immortality and, consequently, died. It must also be remembered that even if conditional immortality had originally been granted 'Adam, it would, of course, have been physical immortality. But he sinned and died and any immortality he might have had was gone. The truth of the matter is, however, that he was created mortal and corruptible.

We have provided sufficient response to this argument in chapter 12, where we pointed out that if man had not eaten of the forbidden fruit he would not have died. And even had he died nevertheless, this would in no way have affected the nature of his soul, which in any case is clearly shown to be immortal. All his arguments for the mortality and the corruptibility of the human soul are invalid and his conclusions null and void because the death of a human being does not entail the annihilation of the soul, nor even of the body, but the end of the union which existed between them, followed by the return of each to its original place, as we have set out and demonstrated.

Chapter 18

Explaining Some Verses Misunderstood by the Adversary

Our opponent further goes on to say:

Argument 4: "Mose said to God: '[...] blot me out, I pray Thee, from Thy book which Thou hast written' [Ex. 32, 32]. In this book are inscribed those who are given eternal life, and it is these who live in the 'land of the living'." We claim that this all refers to our present life and not to some other one, which does not exist. Thus, Mose asked God to blot him out of His book in which He inscribes the righteous whom He wishes to reward in this life, by assuring them that they will complete their days in peace and happiness. (We do not believe that God keeps some kind of an agenda, but consider the expression an anthropomorphism, to convey the idea that God keeps an account with the world in the matter of reward and punishment.) From this book, then, Mose requested God to blot him out, as if to say: "put me to death, cut me off before I complete my span. If I do not secure the pardon of this people, I do not wish to live." He spoke in the same manner another time: "And if Thou wilt thus deal with me, then slay me out of hand if I have found favour in Thine eyes, that I may not see my wretchedness" [Nm. 11, 15]. 'Once before I begged you, O Lord, to slay me, while I earnestly sought the weal of this people, because I did not wish to live to see evil come upon it. Now I beseech you anew, earnestly seeking my own welfare, because if I have to continually face such trials, life has no attraction for me.' Ribqa spoke to Yishaq in the same vein, saying that she was weary to death and that her life was not worth living if Ya'aqob married one of the local women [cf. Gn. 27, 46]. Mose, in asking God to blot him out of the book, certainly did not mean a book in which were inscribed those destined for an eternal and perfectly happy life (if such exists), for, had he meant that, he would be asking to be inscribed, instead, among the enemies of God who are condemned to eternal suffering: an insane and outrageous petition. "Land of the living" is the name of this world in which we exist here and now; "land of lives," means a land in which there are many lives, because many live in it, and thus it is not the land of a single life. "Land of the dead" and "land of perdition" are names of the grave, as also "pit", "silence", "land of darkness and the shadow of death, where light does not enter", as Iyob depicts it. The "land of lives" is often mentioned in Yehezqel [Ezek. 32, 23-32], and in many places in Psalms: "I will walk before the face of the Lord in the land of lives" [Ps. 116, 9]. 'The Lord delivered my soul from death and from the hands of those who tried to take it from me. Therefore I shall live and go before God in the land of lives. Consequently, I shall show my gratitude for the favours which I

recognize as having come from His hand and shall offer a sacrifice in thanks for my well-being': "The cup of salvation will I lift up, and in the name of the Lord will I make an invocation. I will pay my vows to the Lord [...]. Precious in the eyes of the Lord is the death of his pious ones" [Ps. 116, 13-15]. "The Lord does not esteem His righteous ones so little as to be indifferent to their death. Therefore He does not readily deliver them into the hands of their enemies. And I, for this reason, by way of thanksgiving: "[...] will pay my vows unto the Lord, yea, in the presence of all His people"" [Ps. 116, 14]. Thus has been demonstrated who are those that are inscribed in God's book, and what is the "land of lives."

This "Argument 4" he attributes to us is non-existent: no one claims that Mose besought God to blot him out of a book in which are inscribed those to whom eternal life is granted.¹ A plausible explanation of the words in Exodus 32, 32 is that Mose asked God to blot him out of the Law, which was indeed the book written by God. For when Mose says:

Yet now if Thou wilt forgive their sin; if not, blot me out, I pray Thee, from Thy book which Thou hast written [Ex. 32, 32]

it could mean: 'Lord, You did command me to take the children of Israel out of Egypt and, however much I protested my unworthiness, You insisted that I become the instrument for the wonders which You wrought at that time. My name is associated with all of them as You have recorded them in Your book of the Law. Now if it is going to culminate in such a sad and miserable way, with Your people coming to grief here in the desert without seeing the Holy Land, in that case please blot me out of Your book, for it is not meet that I be mentioned in connection with an enterprise which, having started out so grandly and made so much progress, ended in ignominy.'

However, seeing that Mose in another context expressly asked for death:

And if Thou deal thus with me, kill me, I pray Thee, out of hand, if I have found favour in Thy sight and I shall not see my own wretchedness [Nm. 11, 15]

¹ One wonders why da Silva ignores the talmudic explanation of this verse (B.T. Rosh Hashana 16b): "R. Kruspedai said in the name of R. Johanan: 'Three books are opened [in heaven] on New Year: one for the thoroughly wicked, one for the thoroughly righteous and one for the intermediate' [...] What text tells us this? [...] R. Nahman b. Isaac derives it from here: 'And if not, blot me out, I pray Thee, from Thy book which Thou hast written': 'blot me out, I pray Thee' — this is the book of the wicked; 'from Thy book': — this is the book of the righteous; 'which Thou hast written': this is the book of the intermediate [...]."

we may conclude that in the earlier passage he was also asking for death. In any case, from both verses it clearly appears that Mose believed in and hoped for an afterlife. In expectancy of that afterlife he was giving up his present one, hoping the exchange would be in accordance with the will of God. Were it otherwise, it would have been absurd for him to ask God, as a favour, for a death which he could have inflicted on himself. But neither he nor any of the other biblical worthies grown weary of life would take the initiative of putting an end to it, for they did not want to prejudice their chances of earning the ensuing bliss. Forsooth, they did desire death, but only if it were to come to them through the will of their Creator Who sends death and gives life, as it is written:

[...] I kill and I make alive [...] [Dt. 32, 39].

As for the verses in which "land of lives" refers to this world, they are of little consequence, for it is not on this phrase that our position depends. Sometimes that expression is applied to the Holy Land, as it is by Yehezqel, who, after describing the destruction of other lands, concludes with a reference to the Holy Land in the following words:

[...] and He shall set up His ornament in the land of lives [cf. Ezek. 26, 20].

To our opponent's theory — that this world is called "land of lives" because so many people live in it — we object that according to this reasoning it would be more appropriate to call it the "land of deaths," because those who die and died in it are far more numerous.² So all the verses he cites apropos of the "land of lives" are of no interest and irrelevant to the case at hand.

One need but consider his explanation of the verse:

Precious in the sight of the Lord is the death of His pious ones
[Ps. 116, 15]

to see that it came out of the head of one who lacked all grounding. He interprets the word "precious" to denote "dear," "costly" or "causing displeasure," and to mean that God does not readily deliver His pious ones into the hands of their enemies, because this is very

² Presumably da Silva refers to the sum total of the dead, who from a certain point in time onwards always outnumber any living generation.

costly or grievous to Him, as if God were not able to free them from their enemies! But this verse is very supportive of the truth of our position, because the first word of the verse, *yaqar* in Hebrew, always signifies “precious” in the sense of “pleasant,” “beautiful,” as:

[...] with all precious and pleasant riches [Pr. 24, 4]

and:

The precious sons of Zion [...] [Lam. 4, 2]

where the word “precious” (*yaqar*) denotes “pleasant,” “held in high esteem.” That is what the Psalmist has in mind when he says that the death of His pious ones is “precious” to the Lord, because it is pleasant for Him to receive them in His glorious abode and to extend to them the full reward for their works. This indeed is the case, as we read in Iyob:

If He set His heart upon man, He would gather to Himself his spirit and his breath [Job 34, 14]

where the Hebrew word here translated “breath” is *nesama*, i.e., the soul, insufflated by God into the human being, subsequently gathered up to Himself again.

Chapter 19

The Adversary Badly Misinterprets and Unjustifiably Denies the Account of Semu'el's Soul Coming Back to Converse with Sa'ul

Our adversary goes on to say:

Argument 5: “Semu'el came back to speak with Sa'ul [1Sm. 28, 7-20]. Therefore the dead are aware and speak.” We reply that Semu'el did not come back to speak to Sa'ul, neither do the dead have any awareness, nor do they speak. That which is written in respect of this coming or speaking in the First Book of Semu'el is in complete contradiction with the teaching of the Law and those passages cited earlier which show that the dead have neither awareness nor the knowledge that belonged to their former selves. Now, since this passage of Scripture gainsays the true doctrine of the Law, it is of necessity

apocryphal, like other passages forged and canonized by the Pharisees, but rejected by the Sadducees. As for us, we hold the Law to be our guide and principal foundation and by its light do we judge and separate the false from the true. For example, the Law commands us [Dt. 13, 2-6] not to believe the prophet or dreamer who by means of false miracles or the use of deceptive words wishes to mislead us into worshipping strange gods hitherto unknown to us; though it did not teach us how to identify their signs and portents, yet the Law commands us, who would be its faithful adherents, to despise them. However, for recognizing the false prophet who claims to speak in God's name, it does provide a test [Dt. 18, 20-22]. If what he foretells does not come to pass, he is false. Thus forewarned, by taking refuge in the truth of the Law we can guard ourselves against malicious people who incessantly invent and rake up mischief. And since it is an innovation to say that the dead speak and arise at the bidding of him who calls them up, a phenomenon foreign to the Law, which, indeed, condemned calling up the dead as pagan and vain, we, who firmly believe in the teaching and truth of the Law, must eliminate and reject that scriptural text, or, rather, fable, which says that Semu'el came to talk to Sa'ul. Certainly anyone who takes a look at the story will immediately be struck by its unreasonableness, for one would like to know who lent Semu'el that mantle to wrap himself in, or who gave him a body and that white beard, which a few days before had been put under the ground. For when his spirit departed this world to go to its alleged destination, it supposedly went bare. Moreover, Semu'el said that Sa'ul would be with him the next day and thus Sa'ul, from whom God had turned away and become an enemy (as it says), would be assigned the same good place in the hereafter as Semu'el, His favourite. It is of course possible, if such deceptions and trickery to fool people and conjure up imaginary bodies do exist (I myself know nothing of such trickery), that this malevolent woman put one over on Sa'ul. However, to think that Semu'el's soul, newly provided with a body and clothing, came to talk to him, is not merely absurd: it is an erroneous, pagan and vain opinion. As is written in Yesa'yahu: "[...] on behalf of the living (inquire) of the dead?" [Is. 8, 19] as if it said: "The living know more, are worth more, are better off than the dead; what can a dead person do for the living? so why in the world inquire of the dead on behalf of the living?" And as Selomo says: "[...] for a living dog fareth better than a dead lion. For the living know that they have to die, and the dead know nothing, and have reward no more, yea, their memory is consigned to oblivion. Their love too, also their hatred, also their envy, have already perished; and they will never more have a portion in all that is done under the sun" [Eccl. 9, 4-6]. The dead person is finished, and no longer takes account of what goes on in the world. So little account, as Iyob says, that the fate of his children is unknown to him: "His children will acquire power, but he will not know of it; and they will become debased, but he will not care about them" [Job 14, 21]. Now if that is the fate of the dead man, if his is the sleep from which there is no awakening, then shame on the myth-makers who peddle the dead, trying to persuade us that they appear again and act as advisors to the living.

It is certain that the ancient inhabitants of the Holy Land, among other abominations, practiced necromancy. Yet we cannot affirm that communication between the living and the dead never actually took place or that the replies given by the dead to those who interrogated them were but lies and fraud. Nor can we be sure that God prohibited this practice because of its being delusion and fantasy, for He forbade many others which were real enough, such as putting children through fire and offering them to Molek. One could be attributing to God a false motive were one to insist that the Law prohibited necromancy because it is illusory and deception, since the Law forbade many other things which have nothing vain or make-believe about them. When Sa'ul commanded [1Sm. 28, 3] to remove the mediums and the wizards out of the land in his drive to suppress necromancy, he was obeying the Law. But the very fact that he seeks to inquire of Semu'el — at all costs, even breaking the Law — are a sure indication that he placed a high value on the dead man's reply, believing it to be authentic. Anyone who denies this, misinterprets the passage from beginning to end. In the same way, our adversary simply dismisses anything that runs counter to those opinions founded on thin air to which he obstinately clings. For example, here he accuses the Pharisees of having falsified Scripture, but what ulterior motive might have been theirs he fails to explain. To contradict the Sadducees? But further on he admits that he knows nothing about them, nor does he know which books they considered canonical and which they rejected. Now to say that we, by accepting the truth of the encounter of dead Semu'el and Sa'ul, have thereby abandoned the true guide and the straight path pointed out to us by the Law which also proscribes the dreamer and the false prophet, is absurd, because to condemn a practice is not at all the same as to deny its existence. Rather is it the case that whoever prohibits and proscribes a given practice, thereby admits its reality. Precisely because dreamers and false prophets do exist, the Law forbids us to believe them. Because the pagans put their children through fire and sacrificed them to an idol called Molek, the Law exhorts Yisra'el to refrain from such an abominable practice. Similarly, it was the reality of necromancy that prompted the Law [Dt. 18, 11] to prohibit it.¹

¹ As da Costa points out in his chapter 15, da Silva illogically equates the act of sacrificing, with what people believed to result from the necromancers' manipulations, and treats them equally as objective reality. Performing a ritual is, of course, a physical act, whether it be sacrificing or conjuring. But what the devotees believe to result from the action, is quite another matter. Cf. Ibn Ezra on Lv. 19, 31.

Now if one is to cast doubt on the authenticity of the passage concerning the appearance of dead Samu'el to Sa'ul by asking who provided Semu'el's pure and bare spirit with that cape and that venerable beard, then one might just as well ask how did the angels — so often mentioned in the Law, such as those who appeared in the guise of travellers, captains and soldiers to 'Abraham, Yehosua^c, David, etc. — obtain the clothing, insignia, arms, etc. with which they were adorned.

The argument that if Sa'ul, who was a sinner, were to be assigned just as good a place in the hereafter as Semu'el, who was a saint, then it follows that there is no distinction made there between the righteous and the wicked, is silly. Semu'el is not discussing the punishments or the glory of the world-to-come when he says:

[...] and tomorrow shalt thou and thy sons be with me [...][1Sm. 28, 19]

but what he means is 'tomorrow you will be numbered among the dead and in their company.' But even were we to interpret it in that other way, who is to say that Sa'ul did not make atonement and who can estimate his merit in entering the battle with his sons and offering himself and them to God, knowing full well that he and they were going to their death?² On the other hand, who is to say whether souls, even those of the righteous, upon their first arriving in the other world, before they are allowed to taste of glory, must not first go through a period of purification? For there is not a righteous man on earth who does not sin and so it is possible that a sinner such as Sa'ul might be together temporarily in the company of a righteous man such as Semu'el who had died just a short while earlier.

The verses he adduces to show that the power and valour of the living exceed those of the dead are totally irrelevant to the present case, in which there is no question of a comparison between the dead and the living. But it is hardly surprising that a person who thinks he can be so knowledgeable without ever having had a teacher should utter absurdities and that the very fate should befall him which is contained in Selomo's warning:

[...] do not attempt to be overly wise, lest you lose your reason
[Eccl. 7, 16].

² Without quoting it, da Silva here comes closest to the Talmud's literal interpretation, *i.e.*, "with me" = "assigned to the same place in the hereafter," namely heaven. Cf. note 2 on da Costa's chapter 2.

Quite mad, indeed, and frantic is he who is now denying and will go on ever more radically to deny the authenticity of the Scriptures, approved and accepted by the entire ancient and wise congregation of Yisra'el as well as by the sages of the gentiles.

He goes on to say:

Argument 6: "‘Eliyahu was carried off to heaven and is alive; ‘Elisa^c revived a corpse." Even granting that these things are to be understood quite literally, by no means would they support the immortality of the soul; rather it would seem that if God wanted to keep ‘Eliyahu alive in order to send him to preach to humanity, it was because if he were dead he could not return to the world, except God created him anew as He created the first man. He therefore extended his life (if it is true), but He did not make him immortal, for after having carried out his mission, he must die. (Were we to consult the Sadducees on this section of Scripture, we would hear them say that this maintaining of ‘Eliyahu alive seems hardly necessary, as there is no limit to God's power to commission people of spirit every time He so desires, whom he uses as His messengers.) In the same way the dead boy whom ‘Elisa^c resuscitated by stretching himself upon him, putting his mouth to his mouth and his hands on his hands (a neat way to perform miracles and resuscitate the dead! God does not operate in this fashion), does not have any bearing on the question. This dead boy to whom God (if that is the way it happened) in His mercy gave a new spirit, died once again, and was not resuscitated to eternal life. So in what way does his revivification demonstrate immortality, which is what we are dealing with? And yet there is much more to be said about the truth of these miracles which God never performed at any other time, nor was it His custom to kill people in order to revive them afterwards. In the Second Book of Samuel we read that David's servants expressed surprise at seeing him eat when he heard about the death of his son (he had been fasting until then). He explained: "While the child was yet alive, I fasted and wept, because I said: 'Who knoweth, but that the Lord will be gracious to me, that the child may live?' But now he is dead, wherefore should I fast then? Can I restore him to life again? I am going to him, but he will not return to me" [2Sm. 12, 22-23]. Another miracle, which surely seems a made up and unnecessary one — and God is not in the habit of performing such superfluous and almost childish miracles — is told of ‘Elisa^c. He went in the company of the prophets to cut wood by the Yarden and an axe-head belonging to one of them fell into the river. The man was grieved and exclaimed: "Oh, Master! it was a borrowed one" [2Kgs. 6,5]. Thereupon ‘Elisa^c thrust a stick into the water and the iron came up, so that the man who had lost it fished it out and took hold of it: that this axe-head story should be treated as a miracle is almost unbelievable. One should realize that quite a number of books which the Pharisees try to pass off as genuine are rejected by the Sadducees, who tell us which ones are true. I cannot precisely indicate which ones, since I have never been in touch with the Sadducees. However, even without such contact, by the nature of

the material, it is quite possible to discover which books, or which parts of them, should be either rejected or received. And I dare say that because the Pharisees are so suspect or, rather, so devious in their ways, any part of Scripture that has nothing else going for it than their testimony, should be treated with caution. If, however, its authenticity were further impugned by other jews, then it deserves no confidence whatsoever. Those who love truth and are desirous of reaching it, should therefore try with all their might to find out what the Sadducees say about the canon of the Pharisees. One should make this effort so as not to have to live with and be fooled by the falsehoods contained in these books. By this means will that true knowledge be achieved, which is presently impeded by reliance on obscure and vain parts of Scripture.

How is one to put up with such blind ignorance? He says that he will pronounce on the canonicity of Scripture if he gets a chance to speak with the Sadducees and gather information from them, as if the Sadducees had any authority among our people and were not detested by us! He sets himself up in our midst as their spokesman, but he is much mistaken if he thinks he can escape exemplary punishment for the impudence and lack of respect of his words or, rather, his folly and blindness in believing and following what he himself admits never to have seen or learnt!

Scripture says:

[...] and 'Eliyahu went up by a storm of wind into heaven [2Kgs. 2, 11]

and moreover:

Behold, I am sending you 'Eliyahu the prophet, before the coming of the great day of the Lord [cf. Mal. 3, 23]

What regard can we have for one who would deny these words or cast doubt on them by commenting "if that is the way it happened"?³ He alleges that this maintaining of 'Eliyahu alive would hardly be necessary, since God has the power to commission people of spirit every time He so desires. Why should we reply to him? He fails to realize that God does not make absolute power an instrument for cheating holy men of the high role their exploits earned them, such as the one merited by the zealous 'Eliyahu.⁴

³ Da Costa never said "if that is the way it happened" about the contents of either of the verses just quoted.

⁴ Da Silva does not address da Costa's point that the laws of nature need not be broken to accomodate Providence. Moreover, since da Silva believes that the true rewards

Now if he considers superfluous the miracle of the child resuscitated by 'Elisa^c and makes a mockery of the efforts expended by the prophet to prepare and warm up the cold limbs of the dead boy; if he denies the miracle of the axe-head which swam in the waters of the Yarden and came up to the surface: then he denies all those which, according to the second book of Kings were performed by 'Elisa^c. What then is the distinction between the miracles he subjects to ridicule and those he does not mention, such as crossing the waters of the Yarden without getting wet; summoning she-bears who mauled 42 small boys; purifying the polluted waters of Yeriho; the poorly seasoned and bitter pot of broth made edible; the barley bread more than sufficing to feed all the people? How are these miracles superior to those he calls "superfluous"? If God is "not in the habit of performing such superfluous miracles" why should He have performed any of them? Could not all these things have been effected without recourse to miracles? If he absolutely insists on denying all those of 'Elisa^c, why stop short of Mose's miracle at the waters of Mara, which waters he made sweet and healthy by throwing a log into them at God's command?

In the matter of David's fasting while the boy was 'still alive, but eating and putting on fresh clothes after he died, what the adversary claims as support for his position seems to me to go totally against it, for when David says:

[...] I am going to him, but he will not return to me [2Sm. 12, 23]

he shows that he did not consider his son to be totally lost and annihilated. "I will go to him" are words of consolation and happiness, showing that David expects to find his son in glory and bliss. If David had meant that he was going to look for his son in the grave, these words would hardly have occasioned rejoicing, but would rather have revived his grief, for there would have been nothing left of him. The phrase "I am going to him" is an affirmation of his son's continued existence and the phrase "he will not return to me" signifies: 'he will return, not to me in my lifetime, but after many aeons, at the time of Resurrection.' For thus says the Lord:

Thy dead shall live [...] awake and sing, ye that dwell in the dust, for a dew on herbs is thy dew and the earth shall cast out the departed [Is. 26, 19].

are enjoyed in another world, it is surprising that he considers Elijah to be cheated of his dues, except he be allowed to return and fulfill an eschatological mission on earth (unless Elijah never died and is thus excluded from paradisiac bliss).

Chapter 20

*Wherein the Argument of Divine Justice is Repeated
and the Adversary's Erroneous Explanation Concerning It is Exposed*

The adversary goes on to say:

Argument 7: "In many psalms we read that the wicked will be destroyed from the face of the earth and the righteous will flourish. Therefore it is necessary that there be another life, because in this one the wicked flourish and the righteous suffer; the wicked are not punished nor are the just rewarded." We reply that indeed we read in the Psalms of the destruction of the wicked and the flourishing of the righteous, which is true doctrine, based on the Law itself. We deny, however, what follows, that the wicked are not punished in this life nor the just rewarded, because a saying such as this stands in total contradiction to the truth and foundation of the Law, which proclaims over and over again: 'do good so that it go well with thee and with your children after thee': "[...] for I the Lord thy God, powerful, jealous, who visits the iniquity of the fathers upon the children, upon the third and upon the fourth of them that hate Me; And who show mercy unto the thousandth, to them that love Me and keep My commandments" [cf. Ex. 20, 5-6]. In the present life, then, God requites evil-doing on the head of the perpetrator and on the head of his children and descendants; and he also recompenses the righteous, benefiting his seed practically unto eternity, as He recompensed 'Abraham and 'Abraham's seed, howsoever that seed provoked the divine ire many times and to such an extent, that it merited destruction or at least total repudiation. Nevertheless, being the seed of 'Abraham, God did not withdraw His mercy from it, as He did from other peoples: rather will He remember to restore it to its former glory, as it says respecting its ancestors and the covenant made with them: "Know then that the Eternal thy God, He is God, the faithful God, Who keepeth the covenant and the mercy with those that love Him and those that keep His commandments to the thousandth generation. And that He repayeth those that hate Him to their face, to destroy him [He will not delay to him that hateth Him, He will repay him to his face]" (Dt. 7, 9-10). 'To his face does God repay the wicked. He does not defer his punishment very long.' This is the teaching of the Law; this is the true teaching, in which we believe. But if we often see that the wicked flourish and do not receive their punishment straight away, or in the manner that we would have wanted, we must consider that our vision is too limited to grasp God's ordering of the world and the profound nature of the wisdom with which He governs it. God looks to the heart, sees and knows what each one deserves and in accordance with that He repays him. We, on the other hand, look

to the exterior and judge as if we were blind. If God is slow to punish evil, it is because He does not desire to destroy man but rather wants him to repent: "[...] for the iniquity of the Emorites is not full until now" [Gn. 15, 16]. However, punishment is sure to overtake the unrepentant: "If he turn not, He will whet His sword; He bendeth His bow and maketh it ready [And for him He prepareth] the vessels of death; [He will fashion] His arrows [against the persecutors]" [Ps. 7, 13-14]. To be sure, when punishment seems long in coming, we assume that the wicked get away with it. Yet we should know that the bliss of the wicked is not assured, but rather, if they persist in their wickedness, their downfall is certain: "I have seen the wicked rooted and sprouting branches like a green laurel. Yet he passed and lo he was no more; and I sought him but he could not be found" [Ps. 37, 35-36]. This we see happening every day. God cuts off many a one who thought life was just beginning. He afflicts with various sicknesses and diseases. He sends hunger and poverty, subjects the high-born to humiliation and brings low prosperous houses so suddenly that one is amazed to see how men and their children whom one knew in better days have come down in the world. This then is what is meant by "the wicked passed", this is what is meant by "seeking him and finding no sign of him." In the same way great kingdoms have passed, which God at one time used as instruments for the chastisement of other peoples, and all of them received their deserts or will as yet receive them, for God lives, sees and judges the world each day, and nothing happens in the world that is not a result of His judgement, though often inscrutable to mankind. Of the good and the righteous, on the other hand, it is said: "I was young, I am also grown old; yet have I not seen the righteous forsaken, nor their seed seeking for bread" [Ps. 37, 25]. So it is in this life that God recompenses the righteous and the wicked: ["Behold the righteous is recompensed on earth, how much more the wicked and the sinner" (Pr. 11, 31)]. Let no one be so stupid and mad as to believe otherwise and to draw so foolish a conclusion that is in contradiction with the truth and the essence of the Law. For were he to put it to the test, he would learn that truth from bitter experience, as befell a certain poet, foremost among those of his nation. Having apparently emulated the career of the wicked, thinking that for them there was no retribution, he was ultimately forced to confess: "I have always seen the righteous suffer / Terrible torments in this world / And what is even more astonishing / I have always seen the wicked bathe / In a sea of satisfactions. / Thinking that I would thus attain / The bliss so poorly shared out / I was wicked, but I was punished; / And so it is only in my case / That this world is set in order." Surely he is a madman who would believe that good invariably befalls the wicked. One day good may befall them, but at the end they will be destroyed. On the other hand, the righteous may one day suffer evil, either because God wishes to test them, or because there is no man so righteous that he does not deserve some punishment. However, at the end they will have peace. Let then man — in whose judgement that which in God's eyes is evil so often seems good — lower somewhat the wings of presumption with which he would fain usurp the place of God and make himself judge of all the earth. When he witnesses events whose meaning he does not grasp,

let him leave it to God, the righteous judge, who governs the world with wisdom so far superior to that of humans that, exert themselves as they may, they cannot fathom it. As Selomo says: "Then did I see the whole work of God, that a man is not able to find out the work that is done under the sun, in as much as though a man were to toil to seek for it, he would yet not find it: and even if the wise man were to say that he wishes to know, he would not be able to find it" [Eccl. 8, 17]. Let man merely be aware that God is judge of the earth, and impartially rewards the righteous and punishes the wicked thereof. So let the one who wonders about the righteous Hebel perishing at the hands of the perfidious Kayin, consider that this death may have been the result of his father's sin and learn to fear God who extends the punishment of the sinner to his children. This last point really deserves a long discourse, but we must now break off and come to an end, for what we have so far demonstrated is more than sufficient to annul the opposing argument, which is spurious and against the true teaching of the Law.

This is a superfluous and verbose tirade, intended to demonstrate that mankind does not understand and cannot attain to the judgements of God and that it errs in its appraisal of them, believing a wicked person to be righteous, and a righteous person wicked; and, further, that the high and mighty fall and the lowly rise by virtue of Divine Providence. None of this is relevant to the argument which is solely concerned with the righteous who spend and end their lives in suffering and the triumphant wicked who enjoy wealth and peace of mind until their very last breath. Who would deny the examples of this truth unless he be an ignorant and arrogant gainsayer who has not studied Scripture or, if he has, did not understand what he read? Leaving aside the example of Ya'aqob and 'Esav to which we have referred in this connection earlier on (see chapter 6), how would he react to the case of Yosiyahu, king of Yehuda, about whom Scripture says:

[...] he did that which was right in the sight of the Lord and walked in all the way of David his father and turned not aside to the right nor to the left [...] And like him there was not before him, a king that turned to the Lord with all his heart, with all his soul, and with all his might, according to all the Tora of Mose; neither after him arose there any like him [2Kgs. 22, 2; 23, 25]

and yet this saintly king was killed at the hands of Far'o Neko, king of Egypt. So Yesa'yahu was killed by Menase, and Yirmeyahu, sanctified in his mother's womb and such a zealous upholder of the Law, was persecuted, endlessly afflicted and finally carried off captive to

Egypt where he suffered martyrdom.¹ Similarly Zekarya was put to death by the people, and many other righteous individuals met a violent end. Yet countless tyrants and other evildoers died peacefully.

Now what does our opponent say to the murder of innocent and righteous Hebel at the hands of Kayin? He attributes it to their father's sins! It is a falsehood, contrary to that law which prescribes that only the person who sins shall perish [Ezek. 18, 20] and proclaims that a father shall not die for the sins of his son, nor a son for his father's.²

The converse is also true: the merits of a righteous father will not save a wicked son from punishment for his misdeeds, as may be seen in Scripture. For instance, the sins of the people of Yisra'el, for which it is punished by having to die in the desert, do not prevent the next generation from entering and taking possession of the Holy Land; Qorah and his followers rebel, the earth opens up and swallows them alive, but Qorah's children remain safe and sound; God finds in David a man after His heart, but this intimacy avails his sons 'Absalom, 'Amnon and 'Adonyahu nothing, for they must pay for their sins with their blood and their lives. The merits of 'Abraham, Yishaq and Ya'aqob are great, to be sure, but they do not protect their sinning descendants from chastisement. This truth is in no way contradicted by the Law, which states:

[...] I 'Adonai thy God, a jealous God, visiting the iniquity of the fathers upon the children, upon the third and upon the fourth of those that hate Me; but showing mercy to thousands, to those who love Me and to those who keep My commandments [Ex. 20, 5-6]

1 In the pseudepigraphical book "The Martyrdom of Isaiah" (hypothetically dated 1st century) the false prophet Belchira discovers Isaiah's retreat and accuses him before king Manasseh on three grounds: that he had prophesied the destruction of Jerusalem; that he had claimed to see God, though Moses had said that no man shall see God and live; that he had called Jerusalem Sodom and its princes and people Gomorrah. On account of these things Manasseh had Isaiah sawn asunder with a wood saw. Cf. R. H. Charles (ed.), *The Apocrypha and Pseudepigrapha of the Old Testament in English*, 2, Oxford, 1913, 155-162: 155. Echoes of this tale are found in later Talmudic literature, e.g. B.T. Sanhedrin 103b; Yebamot 49b; J.T. Sanhedrin 10, 2. For the tradition that Jeremiah was stoned in Egypt, cf. Tertullian (*Adversus Gnosticos*, 8; *Patrologia Latina*, 2, 137); Jerome (*Adversus Jovinianum*, 2, 37; *Patrologia Latina*, 23, 335).

2 This latter part of the "prescription", which Da Silva is careful enough not to attribute directly to Ezekiel, is obviously his own paraphrase of the second clause of Ezek. 18, 20. However, he is less scrupulous when he chooses to ignore da Costa's citation of Ex. 20, 5-6. In da Costa's reply we shall meet a reversed selectivity in citing from among the apparently contradictory biblical verses that deal with the justice of patrilineal guilt and virtue. Perhaps unbeknown to our two polemicists, the Talmud (Makkot 24a) had declared these scriptural texts irreconcilable.

because the words “those that hate Me and those that love Me” contain the true explanation of those verses, namely that the children who carry on the wickedness of their parents are called “haters” and are punished unto the third and fourth generations, but those children who carry on their parents’ righteousness are “lovers” and will be rewarded with divine lovingkindness for thousands of generations.

This means that in both categories some part of the reward or the punishment deserved by the righteousness or the wickedness of the first generation will be communicated to later ones, but the principal of the reward or of the punishment will doubtlessly be reserved for one’s own merits or demerits. So that neither will the righteous offspring of a wicked individual be chastised because of his father’s sin, nor will the evil offspring of a righteous person be absolved from punishment due to his father’s worthiness. It is therefore certain that the reward of the righteous and the punishment of the wicked await them in the hereafter.

To convince ourselves more thoroughly of this truth, let us see what a comparison between the children of Yisra’el and the gentiles can teach us. The latter govern, exercise dominion and triumph, whereas the former wander from country to country, suffer and bewail their hardships. The gentiles enjoy wealth, fame and reputation. Concerning Yisra’el, Yesa’yahu says:

[...] he has no form nor comeliness [...] despised and rejected of men; a man of pains and accustomed to sicknesses [...] [Is. 53, 2-3].

Now this situation has been going on, not for one or two lifetimes, but for many. So we must perforce conclude either that in another life bliss is provided for those who deserve, but did not obtain it or that the people of Yisra’el is the worst brood of scoundrels in the world and the most deserving of evils and punishments — a demonstrable falsehood, for God says in respect to them:

Open the gates that the righteous nation that keeps faithfulness may enter in [Is. 26, 2]

which is like saying ‘let Yisra’el come to enjoy divine glory and receive the reward for the faithfulness with which it served its God among the gentiles and loathed idolatry.’ As the Psalmist says, speaking in the name of the people of Yisra’el:

If we had forgotten the name of our God, or stretched out our hands to a strange God [...] [Ps. 44, 21].

This is said in view of the present state and captivity of God's people, as is clearly revealed in the rest of that psalm and in many others which proclaim this truth. The following verse speaks to it specifically:

When evil men spring up as grass and all those who do iniquity flourish, it is in order to be ultimately destroyed [Ps. 92, 8]

and mark also what Selomo says:

[...] there is a just man who perishes in his righteousness [...] [Eccl. 7, 15].

The verse which our opponent adduces:

[...] I have not seen a just man forsaken nor his seed begging bread [Ps. 37, 25]

in reality supports the truth of our position, for by observing that a just man is not abandoned, it implies that he does suffer hardships and troubles in this world, but that in the midst of them God consoles him and does not let go of his hand, as the Psalmist says:

[...] for Thou 'Adonai will not forsake those who seek Thee [Ps. 9, 11]

and as is written in the Law:

[...] 'Adonai God, He it is that goes with thee; He will not fail thee nor forsake thee [cf. Dt. 31, 6].

Finally, the Psalmist tells us that in their afflictions the righteous are different from the wicked, because the latter despair and are abandoned, but the former, on the contrary, have faith in God and are sustained, as he says:

[...] he that trusts in 'Adonai, lovingkindness will surround him [Ps. 32, 10].

Later, when it says the righteous man's seed will not go begging for bread, this fits in well with what we have stated concerning the blessings which God adds to the just rewards of the righteous son of a righteous father. Thus, in that verse God, in addition to the favour of not abandoning him, promises him bread, that is to say, temporal benefits which the righteous man who is not the son of a righteous man often goes without. But obviously these temporal goods do not suffice

to make up what is owing to the righteous, seeing that so many unrighteous people possess them in far greater abundance.

Our opponent cites a poem as if it agreed with his position. This shows that he misunderstood it. The poet goes even further than we did and, with poetic licence, exaggerates, saying that he saw tribulation assail *all* good people, while *all* bad people prosper. Having concluded that this is an absolute rule, he expresses amazement that he is the only exception, in as much as he had suffered hardships by following that very path which all others had found strewn with riches. The poet failed to perceive that the fate of some sinners is so wretched that they go through two hells, one in this world and the other in the world-to-come. That fate is indeed what this poet deserved, for he committed evil in the mistaken belief that doing so would profit him. Thus will evil befall all those who sin out of pride, refusing to free themselves from their depraved opinions. Concerning such as these, Yesa'yahu says:

Woe to them that call evil good, and good evil [...] [Is. 5, 20]

Chapter 21

The Truth is Revealed More Clearly by Other Scriptural Verses Misunderstood by our Adversary

Our adversary goes on to say:

Argument 8: "It is written: 'For Thou wilt not leave my soul in the grave; nor wilt Thou suffer Thy righteous one to see the pit' [Ps. 16, 10]. Similarly: 'Oh how great is Thy goodness which Thou hast hidden for those that fear Thee [...] [Ps. 31, 20].'" We reply that all this is irrelevant. The meaning of the first verse is as follows: 'You will not allow my soul to fall into the hands of my enemies nor that I should go down to the grave through their machinations.' David, rejoicing at having God on his side to protect him, is saying that, sheltered by Him, he sleeps tranquilly, without fear. It does not mean that after his death God will take his soul out of the grave, because this contradicts what follows: "Thou wilt not allow Thy righteous one to see the pit" [Ps. 16, 10]. Nor does it mean that he would never "see the pit", because everyone ends up "seeing the pit": no mortal can escape it (as it says

elsewhere: "What man shall live and not see death? shall he deliver his soul from the power of the pit?" [Ps. 89, 49]), but rather does it [Ps. 16, 10] mean that God would not leave his soul in mortal danger, nor consent that he should go down to the pit through the wicked intrigues of those who were hounding him, as we explained above. David consoles himself this way elsewhere in the Psalms, too. As to the second verse: "Oh! How great is Thy goodness that Thou hast hidden for those that fear Thee [...]" [Ps. 31, 20], it is self-explanatory when one takes into account what follows: "[... that] Thou hast wrought for those that trust in Thee before the sons of men." So we see that it is here below, before the sons of men, that God works this goodness. And just what is this goodness? "Thou wilt conceal them in the secret of Thy presence from the insurrections of man; Thou wilt conceal them in a tent from the strife of tongues" [Ps. 31, 21]. As if to say: 'You shall be my protection and refuge from the persecution of men, their betrayals and wickednesses.' He was giving thanks to the Lord for having shielded him from these evils. These favours are such as take place in the presence of the sons of men here on earth. Favours of another kind we are not going to dream up, and if we do have dreams, dreams they will remain.

It is written:

For Thou wilt not abandon my soul to the pit; Thou wilt not suffer Thy righteous one to see the pit [Ps. 16, 10].¹

This commentator tries to explain the verse to fit his theory, but he neglects to pay attention to the verse that follows:

Thou makest known to me the path of life, fullness of joy in Thy presence; beauty at Thy right hand evermore [Ps. 16, 11]

which his misguided interpretation of Psalm 16, 10 would deprive of any connection with it, because verse 11 clearly alludes to the future world and has no bearing on this world. For instance, when the Psalmist says "Thou makest known to me the path of life" he is not supplicating ['make known to me'] — for David already knew the paths of the Law, which are what life consists of —, but the expression is indicative of the future: 'You will make known to me', as if to say: 'when I die, then You will make known to me the path of life, the path by which to climb

¹ Da Silva cites the Ferrara translation slavishly even here where it renders two distinct Hebrew words (*se'ol* and *sahat*) by *fuesa*, though he has just cited the same verse in da Costa's careful Portuguese rendering wherein the two words are distinguished.

to heaven and to join the company of the angels of the Lord, for that is the true life'. "Fullness of joy in Thy presence" signifies 'for then I shall enjoy the radiance of Your divinity, which is the true "joy in Thy presence," because at that time my soul, already separated from the burdens of this body, will have the ability and the strength to see the truth clearly'. And "beauty at Thy right hand evermore" means 'then shall I take true delight in the contemplation of the Lord which is, as it were, a gift given with the right hand (by which is meant mercy); this will be for evermore, a bliss without the interruptions and decay which spoil the enjoyment of worldly pleasures'.

To understand this verse even better, it should be taken in conjunction with verse 9:

Therefore my heart was glad and my honour was pleased; my flesh also will dwell secure. For Thou wilt not abandon my soul [...] [Ps. 16, 9-10].

This does not amount to the Psalmist boasting that he would not die, for in one way or another death is inevitable, but rather that he would die in such a manner that hope of an afterlife would never be lost. And he justifies: "therefore my heart was glad, etc.," that is, 'I am confident that You will not abandon my soul to the grave for, despite the gravity of my sin, you sent me notice through Nathan the prophet, saying:

[...] the Lord also hath commuted [the punishment for] thy sin [...] [2Sm. 12, 13]

whence I conclude with certainty that You shall not allow my soul to be separated from You, nor be counted among the lost ones, for this is what is meant by the soul seeing the pit.'

The verse:

O how great is Thy goodness which Thou hast laid up for those who fear Thee, which Thou hast performed for those who trust in Thee in the sight of the sons of man! [Ps. 31, 20]

has two distinct parts: one concerning the bliss which the Lord keeps hidden, in readiness to impart it to those who fear Him in the world-to-come; the other concerning the weal He imparts to them in this world. So the future bliss which is kept in reserve for the righteous by the Lord does not detract from the weal He works for them here and now. About the future bliss the Psalmist says: "how great is Thy goodness

which Thou hast hidden"; about the present weal he says: "Thou hast performed [...] in the sight of the sons of man." In the first case he speaks in the superlative: "How great!" as if to say: 'the very highest degree of goodness, which is without comparison' and he says: "Your goodness," 'a bliss which is Yours alone and hidden by You, so that no one knows or comprehends anything about it.' In the second case he says: "Thou hast performed in the sight of the sons of man." And because it is impossible for bliss to be hidden and simultaneously also in full sight of the sons of man, we are forced to accept the presence of two distinct happinesses in this verse and to interpret the Psalmist as signifying that one is concealed, the other manifest.

Our opponent's attempt to explain the "concealing" in the verse: "Thou wilt conceal them [...] from the insurrections of man; Thou wilt conceal them [...] from the strife of tongues" [Ps. 31, 21] as applying to the persons of the righteous, is far-fetched. It is rather the bliss which is concealed — not people. Of persons Scripture would not say that God conceals them,² but rather that He succours, defends and protects them and, if indeed He wishes to protect them, there is no reason to conceal them. But if the Psalmist had really intended the verb "conceal" to apply to people in verse 21, the preceding verse should have read: 'O how You conceal those who fear You!' rather than "How great is Thy goodness that Thou hast hidden (for) those that fear Thee." It is therefore useless to waste any further time on the ridiculous figments of this foolish dreamer's imagination.

2 Cf. however Jer. 36, 26: "The king ordered Jerahmeel [...], Seraiah [...] and Shelemiah [...] to seize Baruch the scribe and Jeremiah the prophet, but the Lord concealed them."

Chapter 22

*About the Resurrection of the Dead
and the False Explanation of the Verses Adduced to Contradict It*

The adversary goes on to say:

To argument 9, concerning what is written in Yesa'yahu: "Thy dead shall live [...]" [Is. 26, 19] we reply that the prophet does not speak of the true dead, of those who ended the natural course of life, nor does he say that these would rise. No, the dead of which he speaks are the people of Yisra'el scattered throughout the lands, and reckoned as if they were dead: so dead, that no one believes that they will once again become a people, but rather that they will always remain prostrate, dejected, vile, withered and dried up. That is precisely the way Yehezqel describes them in chapter 37, where he explains that the dry bones are the House of Yisra'el, who say: "[...] Dried are our bones and lost is our hope; we are quite cut off" [Ezek. 37, 11]. And, following the same thought, it says: "[...] Behold I will open your graves [and I will cause you to come up out of your graves (...)]" [Ezek. 37, 12]. It does not say that veritable corpses will be pulled out of the graves, but that He would gather the living, who were as good as dead, from all the lands where they had been dispersed — which were like graves as far as they were concerned — and that He would bring them back to the land of Yisra'el. The two prophetic passages are analogous and both are to be understood parabolically, not literally. And to make our point even clearer we shall cite a verse that comes a bit earlier in this chapter of Yesa'yahu. From start to finish this chapter speaks of the ingathering of Yisra'el and shows how God chastises other peoples differently from the way He chastises Yisra'el. In respect of the others it says: "The dead will not live, the departed will not rise; therefore hast Thou visited and destroyed them, and made to perish every memorial of them" [Is. 26, 14], meaning to say that the Lord castigates these peoples and changes them to such a degree that they do not return to their erstwhile state. Yisra'el, however, He chastises in another manner: "Thou hast done more for the nation, O Lord, Thou hast done more for the nation; Thou hast glorified Thyself; which Thou hast extended to the ends of the earth" [Is. 26, 15] which means: 'You have heaped up, O Lord, You have multiplied Your miracles for this people and thus You have glorified Yourself: people whom You had cast away unto the ends of the earth'. In other words, after all the evils have passed, after long periods of hope: "Thy dead shall live [...]" [Is. 26, 19]: 'Your wounded, Your tormented, wasted away and reckoned on earth as if they were dead — will live. The earth will eject them and they will sprout from it as if they were grass'. It is exactly like what we read

in the next chapter: "In future generations shall Ya'aqob yet take root; Yisra'el shall bud and blossom [...]" [Is. 27, 6]. These similitudes and figurative ways of speaking should be understood with sound common sense, and not, injudiciously, taken at face value. Then comes the place in Iyob: "And I know that my Redeemer liveth and at last on the dust I will stand [...]" [Job 19, 25]. We reply that the meaning given this verse by many interpreters is very far from the one intended by Iyob, who was simply trying to express his confidence that God would yet raise him from the place where he lay, enfeebled and ulcerated. Once back on his feet he intends to offer sacrifices and praises as had once been his wont: "I know that my Redeemer liveth [...]" 'I know that the One in whom I have trust is the living God, who has the power to redeem me, deliver me and raise me up, to remove from me the anguish, tribulations and misery which beset me' (every time God delivers men from evils, tribulations and dangers, He is called God the Redeemer, as for instance when He redeemed the people from Egyptian slavery: this is unquestionably so), — [...] and at last on the dust I shall stand [...] — 'I shall walk and I shall move about, even though at present, my friends, I seem to you in such poor shape for walking; and after this skin of mine is crushed [...] [Job 19, 26] — after the infirmity, sickness and wounds with which I am afflicted (— Thereupon Satan went forth from the presence of the Lord and he smote Iyob with a sore inflammation from the sole of his foot unto the crown of his head [Job 2, 7] —), after the vermin bred in them or which came out of the dust on which I am seated (— My flesh became covered with worms and clods of dust; my skin is torn and become undone [Job 7, 5] —) cease mistreating this skin and flesh, then: — [...] from my flesh shall I behold God [Job 19, 26] —, then, mended, convalesced and restored to my former strength and soundness, shall I see God. I shall rise early and betake myself to the place where I used to bring Him sacrifices (— and he rose up early and brought burnt-offerings [Job 1, 5] —), and thus shall I see God: — Whom I shall behold to me {dative used in Hebrew: whom I shall myself behold} [...] and not a stranger [...] [Job 19, 27] —. It will not be another in my stead; I myself will do the beholding. Be undeceived, O you friends who persecute, calumniate and insult me — saying that it is because of my wickedness that I am in this parlous state (— these ten times have ye made me ashamed; do ye not blush when ye show yourselves so insensitive to me? [Job 19, 3] —). Be undeceived and know that even though I have told you and you see that — to my skin and to my flesh my bone doth cleave and I escaped with the skin of my teeth {with the skin cleaving to my teeth} [Job 19, 20] —, nevertheless I have strong hopes (or, rather, I know for certain) that I shall see myself raised up from this state and brought back to my former one; I will be on my feet; I shall see my flesh restored and I shall give thanks to God and offer Him new sacrifices'. All this Iyob was to see fulfilled in himself after God removed His scourge, as we read at the end of the book. He himself went to see God and brought a burnt-offering on behalf of his friends. Truly, this should be sufficient to disabuse those who fool themselves by interpreting this passage in a manner different from the many others in the same book of Iyob which clearly deny the raising up of the dead, as we have already shown.

Some people misinterpret the expression “at last” to mean a last Judgment at the end of the world, which is all in their imagination. As if it could not simply mean an end, either an end which may be around the corner, or one a few days away, all according to the context! Let us consider, for instance, the following verse: “Who hath fed thee in the wilderness with manna, which thy fathers knew not, in order to afflict thee and in order to prove thee, to do thee good at thy latter end” [Dt. 8, 16]. Here the “latter end” means at the end of the 40 years of wandering in the desert before entering the Promised Land. No doubt Iyob was speaking of the “latter end” of his illness, not of the “latter end” of the world (which will never end). This is shown clearly by the final verses of the book: “And the Lord blessed the latter end of Job more than his beginning, and he had fourteen thousand sheep [...]” [Job 42, 12]. This was the “last” of which Iyob was speaking and the one he hoped for. Moreover, because it says: “and from my flesh shall I behold God” [Job 19, 26], they dream that man really and physically is to see God in heaven, after having been given a new body. But “to see God” means to worship Him in the Temple or in any place devoted to divine service: “[...] and My face shall not be seen in vain [Ex. 23, 15; 34, 20]”: ‘You shall not come before Me to the place of My dwelling without bringing an offering’. It is in this way that Iyob saw God when, restored to health, he went to bring Him burnt-offerings: the way they interpret this “seeing” is madness.

The verse in Yesa‘yahu reads as follows:

Thy dead shall live, as my corpse shall they arise; awake and sing, ye that dwell in the dust, for a dew of greens is thy dew, and the earth shall cast out the departed [cf. Is. 26, 19].

It will come as quite a surprise to anyone who has taken note of our opponent’s discourses and who remembers that his distaste for allegorical commentaries is so great that for him “soul” means “blood” and “blood” means soul, to see him suddenly wringing such forced meanings out of Scripture. It is sheer cussedness! To say that by “the departed” in this passage we are to understand the living nation, which is considered dead because it dwells in exile, is unacceptable, because there are innumerable places where Scripture expressly promises the redemption and ingathering of the people. It would be bizarre to conceal under a parable that which is so frequently proclaimed loud and clear.

He then claims to find “confirmation” of this peregrine interpretation, in Yehezqel’s vision of the dry bones [Ezek. 37], concerning which the prophet says that God laid sinews, flesh and skin upon them and infused them with spirit and life. For our opponent this too is but an allegory, which signifies the scattered nation, dried up and withered like bones, but still alive, and only figuratively entombed in sepulchres

out of which God promises to raise it. This explanation is utterly false. The verse can only be referring to real corpses which had lain buried during long exile, and one is therefore bound to believe in all their vicissitudes as narrated in this chapter. Rabbi Eli'ezer declared "that the dead whom Yehezqel resurrected, stood up and sang a song. And just what song was that?

'Adonai killeth and reviveth; He killeth with justice and reviveth with mercy [cf. 1Sm. 2, 6].¹

According to Rabbi Yehosua^c the song they sang was:

'Adonai killeth and reviveth; He bringeth down to the grave and raiseth up [1Sm. 2, 6].

But Robi [Eli'ezer the son of Rabbi] Jose the Galilean went much further and said that the dead whom Yehezqel revived journeyed to the Land of Yisra'el, married and begat sons and daughters. In any case, all of them agree² that these dead came back to life, because, were it not so, one would have to conclude that the example is false and, in that case, so would also be false that which is being exemplified. But since that which is being exemplified is true, so too must the example be true. For suppose we say that Yisra'el is like unto a vine and a righteous person like unto a palm, we must either admit that there are such things as vines and palms, or consider any such example absurd. Thus, if Yisra'el is well compared to dry bones that live, then these bones must live — for they constituted the example — and in imitation of them Yisra'el will also come to life, though dead and buried like the bones. That is how God explains it to the prophet in this case, as if He were saying: 'May what I have shown you in these dry bones which I have supplied with flesh, spirit and life, be a lesson to you on how I shall revive the dried out and wasted bones of the people of Yisra'el and how I shall raise them out of graves where they will have lain for so many years all over the world'. In this way — not in the way our opponent explains it — does the simile match that which is being made

1 Da Silva, in this non-biblical passage, employs the apocopated present participle of the Ferrara Bible and liturgy, thus giving it a scriptural or liturgical flavour.

2 Da Silva's source is B.T. Sanhedrin 92b, but he fails to cite the dissenting opinion of R. Yehuda, who understands the vision of the dry bones as a parable. Many of the mediaeval commentators inclined to R. Yehuda's opinion, but it apparently suited da Silva to quote selectively.

similar. For God could just as well have shown the prophet some poor and despondent people, scattered over the face of the earth, and then caused them to be rich, happy and reunited. That would have been a suitable simile. But to imagine that by "corpses" we are to understand living people and deny the applicability of the literal meaning of the simile, that is an absurdity. Consider the above-quoted verse:

The dead will not live, the departed will not rise [...] [Is. 26, 14].

It is equally absurd to say that God is speaking here about nations who are alive, but are described as dead in view of their present — or future — afflictions and that the prophecy means that in contrast with Yisra'el's fate, those other nations will never be redeemed from exile and captivity. Such an interpretation would, for one thing, contradict an explicit prophecy of Yirmeyahu:

Yet will I bring back again the captivity of Mo'ab and of 'Amon and of 'Elam [cf. Jer. 48, 47; 49: 6, 39].

These peoples, at any rate, were not destined to permanent captivity and therefore could not be considered as if they were dead, *i.e.*, in his sense of the word, never more to return to their former state.³ So his far-fetched explanation cannot be applied to the verse:

The dead will not live, the departed will not rise [...] [Is. 26, 14]

for they did return and did rise. Moreover, why employ a parable on a matter which God so clearly enunciates in Yirmiyahu:

[...] for of all the nations will I make an end [...] [Jer. 46, 28]?⁴

³ Is da Silva reading into da Costa's commentary on Is. 26, 14 an outright condemnation to oblivion of all non-Israelite nations? The scriptural context, however, speaks specifically of Israel's oppressors; cf. Is. 26, 13.

⁴ This argument is presented by da Silva as a reinforcement of his previous one, whereas in reality the two are mutually exclusive. The first one asserts that da Costa's explanation denies a promise of restoration to gentile nations. This second argument of da Silva's would fault da Costa for using the Isaiah verse as the source for an alleged prediction of doom for all nations, when Jer. 46, 28 ought to be regarded as that source. So this second argument of his also ignores the prediction of the restoration of Elam, Moab, etc. Da Silva would evidently like to have his cake and eat it.

Therefore, of necessity, the verse:

The dead will not live, the departed will not rise [...] [Is. 26, 14]

must be literally interpreted.

Let us now analyse phrase by phrase the true meaning of Yesa'yahu's words "Thy dead shall live, as my corpse shall they arise; awake and sing, ye that dwell in the dust, for a dew of greens is thy dew and the earth shall cast out the departed" [Is. 26, 19].

Thy dead shall live [...] [Is. 26, 19]:

These words apply to the time of Yisra'el's salvation, because then will God resuscitate the dead, after having redeemed and saved His people from its captivities. In the same vein Daniyel foretells:

And many of those that sleep in the dust of the earth shall rise [...] [Dan. 12, 2]

and of that time does the prophet speak, as if to say: 'then will your dead live, and by emphasizing "Your" he clearly designates the righteous, for they belong to God, Whom he was addressing.

[...] as my corpse shall they arise [...] [Is. 26, 19]:

These words apply to the time of Yisra'el's salvation, because then will God resuscitate the dead, after having redeemed and saved His people from its captivities. In the same vein Daniyel foretells:

[...] arise and sing, ye that dwell in the dust [...] [Is. 26, 19]:

These words will be addressed by one resurrected person to another or, alternatively, a voice from heaven will call out to them:

[...] awake [...] for a dew of greens is thy dew [...] [Is. 26, 19]

which may be interpreted parabolically as follows: 'Just as the dew is vital, and beneficial to vegetation — causing it to sprout from the

⁵ This interpretation hangs on the conjunction "as", which is absent from the Hebrew text. The Ferrara translation, used by da Silva, supplies *como* in parentheses, yet da Silva ignores those parentheses.

earth — and gives new life to dry grass, so too Your dew, O Lord, will cause the dead — though they be reduced to dry bones — to live again and to leap from the earth which will cast them out. That is precisely what is meant by:

[...] and the earth shall cast out the departed [Is. 26, 19].

Now the earlier verse addressed to the nations, which begins:

The dead will not live, the departed will not rise [...] [Is. 26, 14]

needs little explanation, for it quite obviously means that *they* will remain under the earth, annihilated forever, without so much as a memory of them surviving, whereas Yisra'el, resurrected, will not only enjoy divine bliss, but God Himself will be proud of them. That is the meaning of the verse which immediately follows:

Thou hast done more for the nation, 'Adonai, Thou hast done more for the nation, Thou hast glorified Thyself [...] [Is. 26, 15].

I shall not comment on my opponent's interpretation of the chapter from Iyob [19], because I do not have one of my own. So let him explain these verses as he pleases and make as many tedious speeches as he likes, furnishing synonyms for every word he believes to be hitherto misunderstood. But just so that he may realize his failings, I shall teach him to construe the first verse he cites, where he made a bad mistake. He ought to be ashamed of his inability to draw from the limpid source; due, of course, to his refusal to study the Holy Tongue, and his consequent reliance on the erroneous Vulgate, which renders verse 25 as follows:

Because I know that my Redeemer lives and on the last day I shall arise from the earth [*Scio enim quod Redemptor meus vivat et in novissimo de terra surrecturus sim*] [Job 19, 25].

The Hebrew says nothing of the kind. It does not speak in the first person ("I shall rise"), because that would be *'aqum*, with an *'alef*. It speaks in the third person, using *yaqum* with a *yod*. Our own "Vulgate"⁶ correctly renders:

[...] and last (*ve-'aharon: y postrero*) upon dust shall rise [Job 19, 25].

⁶ *I.e.*, the Spanish translation published at Ferrara in 1553.

So Iyob does not say about *himself* that he will rise, but by “last shall rise upon dust” he means to make the word *postrero* an attribute or a qualification of God, affirming that *He* (God) will rise. Here we see how many errors spring from ignorance of the Holy Tongue. He is unable to follow the Hebrew verity, which does not allow of the translation “the last day” for *postrero*, as the Latin versions provide. Nor does the Hebrew allow for the interpretation of this word as “the final end of Iyob’s afflictions,” as this audacious adversary claims. Actually, he respects no one, for while he takes from the Vulgate, which is the only Bible he knows, the erroneous substitution of the first person for the third, he rejects that same Vulgate’s somewhat more plausible rendering “the last day,” just in order to pursue his rampant fantasies.

The verse should therefore be read:

I know that my Redeemer liveth, and Last will rise upon the dust
[Job 19, 25].

Iyob is acknowledging that there is one eternal, living and steadfast Creator, from Whom he expects to receive rewards, because he recognizes His power and mercy. He knows that God said about Himself:

[...] I am the First, I also am Last [Is. 48, 12].

This is why, after proclaiming that God redeems from anguish those who wait upon His mercies, Iyob now proclaims another article of faith:

[...] and Last will rise [...] [Job 19, 25]

as if to say: ‘God who is infinite, without beginning or end, calls Himself and is First and Last. He will arise to judge all the earth. It is from Him — Who in faithfulness, justice and power is infinite — that I await the mercies and rewards enumerated further on’. Iyob then concludes that the Lord, Blessed be He, will arise in the way Scripture speaks:

[...] Rise up, Lord, and let Thy enemies be scattered [...] [Nm. 10, 35]

and:

Arise unto our help [...] [Ps. 44, 27].

What our adversary says about the word *postrero* — that it indicates something that is to take place within a short time — shows how little knowledge he has of languages and grammar, because *postrero* in its absolute sense, without any adjunct, must needs indicate that something is to come at the very end, that nothing is to come after it. It is only when the Hebrew word *'aharon* (*postrero* or *postrimería*) is used possessively with pronouns (mine, your, his) — as in the verses he adduces (“thy latter end” [Dt. 8, 16]; “Iyob’s latter end” [Job 42, 12]) that it could refer to something that is to take place within a short time, that is, relatively short, for Iyob after his afflictions ended lived another 140 years.

All this, however, bears no relationship to *'aharon* (*postrero*) taken absolutely, which means the very end of everything. That, in fact, is how the Latin versions render it here, by the superlative *in novissimo* (“on the very last day”). But the truth of the matter is that this word designates none other than God, as I have stated, “Who is First and Last.” In the same way as He created the world at the beginning, He will judge it at the end. And that is how Iyob understood it:

[...] and Last (i.e., God) will rise over dust [Job 19, 25]

wherein “dust” is to be understood as humanity, as Scripture says: “for thou art dust” [Gn. 3, 19].

Chapter 23

Showing the Canonicity of the Book of Daniyel, Against the Insolence of the Adversary, Who Denies It

Our adversary goes on to say:

And now, finally, we must deal with what it says in the book entitled Daniyel [12, 2]: “And many of those that sleep in the dust of the earth shall awake, some to everlasting life [...]” and elsewhere: “But thou go to the end and rest and be in thy lot at the end of the days” [Dan. 12, 13]. This book of Daniyel is rejected by the jews called Sadducees and this fact alone should suffice to deprive a book of its credibility. (As we have said, very little faith can be placed in the unconfirmed testimony of the Pharisees, seeing how these men made it their business — or their madness — to change words, modify, twist and misinterpret Scripture in order to confirm the confused figments of their imagination.) In this case, the book’s content reveals it to be nothing but a product of

Pharisaic ideology, contrary to that of the Law. It masquerades as prophecy, the better to fool the people by lending authority to its authors' false teaching. The lack of truth of the adduced passages may be demonstrated as follows: the first one says that many will be resuscitated, but not all. Now, if resurrection were intrinsic to the human condition, the whole of humanity would be destined for it; some, albeit, resurrected to enjoy felicity, others to face humiliation — depending on their deserts. Seeing, however, that the Pharisees preach and claim that resurrection is not universal but only selective and that souls are not all immortal but one year and one day, it becomes clear that the above-cited scriptural passage was fabricated to accommodate their erroneous doctrine. The same may be seen in the last-cited verse, in as much as it says that Daniyel would enjoy his lot and be in it at the end of days. For the Pharisees teach that when the *masiah* comes, the risen dead will each of them possess his inheritance in the land of Yisra'el. To prove this utter insanity they resort to fabricating scripture. There are other things in the book of Daniyel which bear a Pharisaic hallmark. Here, for the first time, do we find angels called by names of which previously we had not been informed, either by the Law or by other books. In fact, the whole presentation and style reveals it to be a fabrication. But if one finds it hard to believe that anyone would have dared to produce pseudepigraphic writings, let him ask himself who wrote the book of Judith and invented her story? Who the third and fourth Ezra? Who the Book of Wisdom and many others needless to enumerate? In fact we even have to include the book of Esther in this list. In short, there is no lack of sham authors, prophets and visionaries: for human malice knows no bounds. Warnings were given us in the Law, intended to make us wary. He who cleaves to its truth will escape all error. Let me just reiterate that the novel teaching found in the book of Daniyel runs contrary to the teaching of the Law and contrary to all books which follow in the Law's footsteps. Therefore we shall not and need not pay it the slightest heed. Having now shown that man is every bit mortal (there was really little need to demonstrate what is so obvious), and that he is not endowed with another life to live, let us examine the difficulties and evils which ensue from the erroneous contrary position.

The Book of Daniyel is truly prophetic and authentic and vouched for by authority and reason. By authority — for Dani'el does not tell us merely that prophecy came to him, as do the other prophets concerning their prophecy, but he also invokes witnesses:

And I, Daniyel, alone saw this vision, and the men that were with me did not see the vision; but a great terror fell upon them, and they fled to hide themselves [Dan. 10, 7]¹.

¹ It is unclear how da Silva hoped to convince one who was sceptical about the whole book of Daniel by means of evidence from within that very book.

And tradition has it that these men were Haggai, Zekarya and Mal'aki, who afterwards prophesied, as 'Ezra tells us in Chapter 5.² The holy and learned men of the Great Synagogue, in whose Council sat the prophets 'Ezra, Haggai and Zekarya, included Daniyel among the 24 approved canonical books which we recognize, believe in and follow. This decision was in its turn ratified by the general consent of the entire Holy Congregation of Yisra'el, which received the Book of Daniyel and has recognized its canonicity until this very day and will continue to do so until the end of the world. To these considerations may be added that the book was written at a time when prophets — such as the three aforementioned — were the means of communication between God and human beings, by a man whose erudition and saintliness were generally recognized. To the high reputation of Daniyel, and the esteem in which he was held, the prophet Yehezqel bears witness:

And if there be these three men in the midst of it, Noah, Dani'el and Iyob, these with their righteousness will save their soul, saith 'Adonai [Ezek. 14, 14]³.

Now how can one countenance the obduracy and perversity of a man who denies all this, simply because — as he claims — the Sadducees denied it? I for one do not believe the Sadducees denied the authenticity of the Book of Daniyel, nor does he furnish any proof for this claim of his. But whether or not they denied it is of little consequence, because the Sadducees were founded by that depraved individual, their eponymous Sadok, who was moved by passionate hatred and insubordination to abandon his master Antigonos and who, surrounding himself with a gang of dissolutes, stirred them up by his false preaching against the Pharisees. The latter were saintly scholars, separated from the customs and practices of the common people and therefore called *perusim* (Pharisees), which means "separate." Their doctrine was always sound, faithful and based on genuine traditions and, as such, was accepted and respected throughout history. The abominable doctrine of the Sadducees, on the other hand, was rejected soon enough, totally exploded and forgotten and for all we know extinct. Its promulgators are cursed and made out to be informers, heretics,

2 For Haggai and Zechariah, cf. Ezra 5, 1.

3 It is not clear what bearing this quotation has on the authenticity of the book under discussion. Ezekiel as well as the author of the Book of Daniel were no doubt convinced of one Daniel's saintliness; da Costa had only questioned the attribution of the book, not the reputation of the historical hero of that name.

and renegades. It is in respect to them that at the time of Raban Gamali'el the following paragraph was added to the *amida*:

May renegades find no hope, and all heretics and all traducers swiftly disappear [...]

so that in the whole world and by the mouth of all Yisra'el they may be cursed three times a day, as is now done.⁴

When our opponent triumphantly waves in our face his interpretation of two verses from the Book of Daniel, he is up to his old tricks. The first of the two verses reads:

And many of those that sleep in the dust of the earth shall awake, some to everlasting life, and some to disgrace and everlasting contempt [Dan. 12, 2].

The vain commentator comes up with this chimera: "if resurrection were intrinsic to the human condition, the whole of humanity would be destined for it." Just as an aside, let it be noted how he never misses a chance to preach on the workings of divine justice, and its system of rewards and punishments, nor does he fail to imply that we are morally blind and thus unable to perceive anything more than outward trappings or to enter into the secret deliberations of the divinity. He has such confidence in his knowledge, he is so sure of his ability to determine what God does with souls, that, rather than renounce his obstinate opinion, he prefers to deny an approved and accepted prophetic book. I am moreover convinced that henceforth whenever he finds himself in a quandary, he will not hesitate to deny any canonical book that might contradict him. Thus he is worse than the renegades. For they adopt Islam out of some selfish motive or for gain and are sorry soon after, repent and become contrite. But people like him who abandon the way of truth out of sheer arrogance and stubbornness are just about hopeless cases and beyond help.

But pray tell me: if resurrection were to take place, why in the world should it be general? Why should those masses of humanity who

4 The insertion in the *amida* of a prayer for the perdition of heretics is ascribed to Raban Gamaliel II (end of first century) and was probably aimed at the Judeo-Christian heresy of the time, when Sadduceism was in eclipse. Cf. George F. Moore, "The Definition of the Jewish Canon and the Repudiation of Christian Scriptures," *Essays in Modern Theology and Related Subjects Gathered and Published as a Testimonial to C. A. Briggs*, New York, 1911, 99-125: 111-112.

neither favoured nor ill-treated Yisra'el or were perhaps even unaware of Yisra'el's very existence, be raised from the grave? It stands to reason, on the other hand, that some of those who persecuted Yisra'el should come back to be exposed to opprobrium and infamy and to undergo punishment. Indeed it would be contrary to reason to suppose that a Nebukadnezar, an Antiochus, a Titus, and all the rest of those tyrants, Inquisitors and persecutors who murdered, despoiled and devastated Yisra'el and yet reached the end of their normal life-span satiated with worldly gratification, should go scot-free in the spiritual realm. Reason and justice demand that, in addition to the punishment undergone by their souls — which is hidden from the living — a time should come when they re-enter bodies for a while to receive a well-publicized punishment in full gaze of that people which suffered at their hands here on earth. True justice requires that these tyrannical persecutors be resuscitated to undergo infamy, insult and opprobrium and that the persecuted and the righteous return to be granted honours and a full life. As the prophet says:

Thy dead shall live [...] [Is. 26, 19]

and, as we said before, by calling them "God's dead" the prophet clearly showed that he meant the righteous.

We now turn to our opponent's comment on the last verse of the Book of Daniyel ["But thou go to the end and rest and be in thy lot at the end of the days"]. His claim to the effect that the Pharisees teach that "when the *masiah* comes the risen dead will each of them possess his inheritance in the land of Yisra'el" is a fabrication: there is no such teaching among us.⁵ It should not surprise us, however, that this poor ignoramus who goes around begging for information should regularly get the wrong end of the stick. In this case he has confused the time of resurrection with that of the messianic era. The two are, in fact, quite different. We believe that at the time of the *masiah* the various captivities will come to an end, the people of Yisra'el will enter the Holy Land to inherit and possess it, will have their own sovereign State and will rule over other nations.⁶ Scripture is replete with such predictions, for instance:

That then 'Adonai thy God will restore thy captivity [...] And 'Adonai thy God will bring thee into the land which thy fathers possessed and

⁵ Here da Silva openly and explicitly identifies himself with the Pharisees.

⁶ The non-Scriptural idea here expressed (that jews will reign over other nations in messianic times) is by no means an invention of da Silva. Cf. Jerome on Is. 35, 10 (cited

thou shalt possess it and He will do thee good and multiply thee above thy fathers [Dt. 30: 3, 5] ⁷.

Concerning resurrection, however, and its consequences:

[...] no eye has seen it, O God, besides Thee [...] [Is. 64, 3]

nor has any understanding penetrated it, nor did any prophet or sage discourse upon matters so occult. Thus the last verse in Daniyel:

But thou go to the end and rest and arise to thy lot at the end of the days

speaks neither of inheriting the Land, nor of the days of the *masiah*, but of the end of the world. Moreover, the Hebrew, if taken literally, does not say "at the end of the days," but "at the end of the right," by which is to be understood the compassion and mercy which God will show to the dead at the end of days. ⁸ And this is what is meant by what Daniyel is told: 'At the end of your days you will repose, that is, you will enjoy bliss in the company of the righteous, for that is your lot. ⁹ And at the end of days you will arise (that is, from your tomb) to enjoy that same bliss and glory in body as well as soul, in accordance with what is written earlier, that "many of those that sleep in the dust of the earth shall awake to everlasting life" [cf. Dan. 12, 2].

What guarantees the authenticity of the book and prophecy of Daniyel is its incorporation into the canon of 24 books which we possess,

by R. L. Wilken, *John Chrysostom and the Jews*, Berkeley, 1983, 73). The same misconception was entertained by Sabbatai Sebi in 1665-1666. Cf. G. Scholem, *Sabbatai Sevi, The Mystical Messiah*, Princeton, 1973, 426-441.

⁷ This passage does not, of course, predict Israel's domination over other peoples; nor does any other Scriptural passage. It is extraordinary that da Silva should have imagined to find such a prediction in this verse.

⁸ The last word of the Book of Daniel is *hayamin*, meaning "the days." Normally this word would end in a *mem*: *hayamim*, not with a *nun*, as it does here: *hayamin*. As it stands, this word is homonymous with a Hebrew word meaning "the right hand." However, in Hebrew, unlike in most languages of Western Europe, the word for "right" (the antonym of left) is not identical with the word for "right" (the antonym of wrong). Incredibly, da Silva claims for the Hebrew word *yamin* both meanings of the Spanish word *derecha*!

⁹ Da Silva's paraphrase makes the word "lot" refer to the repose of the righteous that extends from death until resurrection, an interpretation impossible to square with the Scriptural text, which reads "and thou shalt rise to thy lot," *i.e.*, enjoyment of a "lot" which can only be subsequent to a "rising."

believe in and follow. What is more, when the 70 scholars translated those books, they were illuminated by the divine spirit. Under that inspiration — in every one of those books including Daniyel — they introduced certain changes and glosses they believed necessary, which neither Yisra'el nor the gentiles ever called into question.¹⁰

Thus it has been demonstrated that the Book of Daniyel is prophetic and genuine and that everything alleged to the contrary is false, vain and ridiculous, as it is to cast doubt on its authenticity just because it includes angels' names which are not found in other books. For if the angels answer to names, which God imparted to them — in the same way as He imparts names to stars and constellations¹¹ — what objection could there be to Daniyel calling them by those names or, conversely, why should he have been obliged to pass over them in silence, as did the other books of the Bible who had no need to name them?

To derive from that silence in the other books the theory that the angels have no names, is another sample of the adversary's abysmal ignorance. Does he not know that Ya'aqob after fighting with the angel asked him for his name?

And Ya'aqob asked him and said: 'Tell me now thy name'; and he said: 'Wherefore is it that thou dost ask for my name?' [Gn. 32, 30].

So there it is: angels have names! That angel who appeared to Yehosua^c, though he did not reveal his personal name, did identify himself by his appellative name, saying:

I am a captain of the host of 'Adonai [Jos. 5, 14].¹²

¹⁰ The Talmud indeed speaks of divine guidance in reference to a Greek version of the Pentateuch produced by 72 elders but says nothing of a similarly inspired version of the rest of Scripture. Cf. B.T. Megilla 9a.

¹¹ Cf. Is. 40, 26; Ps. 147,4; but there is nothing in Scripture about names being imparted to angels.

¹² This argument hardly answers da Costa's observation on the uniqueness to the book of Daniel of angelic proper names. Cf. Dan. 12, 1, where an angel is identified by both an appellative and a personal name.

Chapter 24

*Concerning the Audacity of our Adversary who,
Despite his Ignorance, Holds Forth on Metempsychosis*

He goes on to say:

Chapter 25¹

Containing the Errors and Evils that Ensur
from Believing the Soul to be Immortal.

Since one absurdity leads to another and one error gives birth to many, this erroneous opinion or, rather, delusion, concerning the immortality of the soul has such numerous offspring that it will not be easy to exhibit them all. The Pharisees who only selectively grant immortality — eternal bliss and also everlasting suffering —, in order not to condemn to damnation too readily, claimed and continue to claim that if, while in the body, a soul commits actions meriting damnation (or omits to perform a commandment), God may send it back to earth and house it in another body and again in a third body, until it has earned (as they say) the bread that it is to eat in heaven. They also invented a place called purgatory where the souls of those who were middling good could purge their faults. From there, withal, God may exile them time and again to the bodies of animals (animals with bachelors' degrees no doubt), and this too for their purgation. It is precisely because a human soul may find itself in a cow that, when it is to be slaughtered, care must be taken to minimize its pain. (That animals should be slaughtered with compassion is proper and righteous, but not for that reason.) If none of these remedies should suffice, and the soul is so wicked that it deserves damnation, God sends it to the place of eternal torments. That is its final destination and thus is transformed the glory which that soul had once possessed in heaven where it dwelled, as they say, under the Divine throne. What a stupid soul, not to have clung on and to have allowed itself to be cast into this world! Since the Law is silent on all such matters, one wonders just how these people came by their information, and on what these interpreters of Divine justice base their mystifications which inspire amazement in ordinary folk who listen to them open-mouthed.

¹ *I.e.*, Chapter 3 in da Costa's extant book.

Though on the one hand this bogus glossator causes anger and indignation because of the liberties he takes and the insolence with which he speaks, on the other hand pity is aroused by his ignorance and blindness. It is these defects that compel him to consult — even on momentous issues — ridiculous and vain persons who misinform him, as they did concerning the matter at hand: *gilgul*, or metempsychosis. This would not have happened to him had he tried to obtain information from truly learned and God-fearing men, because then he would have been apprised that those austere and saintly gentlemen, our masters, who through their wisdom and saintliness deserved to be receptacles of true traditions, when they came to discuss lofty and esoteric matters, decided that these would be treated confidentially and knowledge of them restricted to themselves. Indeed, some of them went even further and did not consent to more than two or three selected and approved scholars at a time being initiated into these mysteries. Only in this manner did they allow *ma'ase merkava* and *ma'ase beresit* (“matters of the chariot” and “matters of creation”) to be discussed, which comprise ways and means of investigating and approaching the divine essence. This they called *pardes* (“enclosed garden”), which only a few were privileged to enter. The same conditions applied to discussions of *gilgul* (metempsychosis). They wished to restrict speculation concerning such esoteric matters to those who could discuss and comprehend them without giving rise to scandal or confusion, making sure to conceal them from the masses. But in the course of our miserable captivities, taking advantage of the disappearance of a supreme authority, some vainglorious individuals, motivated by an excess of curiosity or rashness, penetrated this most precious of all gardens and, leaving wide open its main gates, rendered it accessible to all and sundry, and thus we have sunk to the sad state in which we now find ourselves. Due to the lightheadedness of those who spread the information and the ignorance of those who absorbed it, they have succeeded in trivializing things that used to be held sacred and reserved for an erudite élite.

Affected to the quick by all this, I would do all in my power — if not to restore the original walls around this garden, an obvious impossibility — at least to stop them from crumbling. How am I to consent to fools stepping in where angels once feared to tread? How am I to tolerate, without experiencing great pain, the boundless arrogance of those who presume to pronounce upon the way in which God deals with souls and other even more esoteric issues? And yet human beings are possessed of such limited judgement that even the most prudent and perspicacious cannot competently manage the

administration of their own, their family's and their country's affairs. Neither historical precedent nor the consideration of what lies ahead seem to provide sufficient guide-lines for the right solution.

But I turn to you — O blind and incompetent 'Uri'el! — and I beg you to tell me what fury has inflamed you or what poison has perturbed your mind and your senses for you to give credit to ignorant persons who are precipitating your ruin while you despise the teaching of scholars whose advice you could turn to good advantage. Had you but taken the piece of advice I gave you many years ago, you could have spent those years usefully by learning the Holy Tongue. At present, when you have so much reason for not trusting anyone and therefore are unwilling and unable to take advice from the living,² you should turn to what remains to us of the teaching of the departed. You need have no fear that they were out to deceive you or that they hated you, for surely they had no inkling that such an ugly monster as you would one day come into the world. Were you to study their writings, you would not claim that the Pharisees taught that human souls are turned into brute beasts in order to be reformed. Nor that if this transformation should prove an insufficient remedy for their wickedness, they will be sent to eternal torments. These are all illusions through which they who by a hairbreadth are your superiors in knowledge — but your inferiors in malice — lead you astray. Were you to consult authoritative voices from the past, you would not hesitate to accept and believe the true dogma and teaching of the Pharisees, who follow the divine traditions in maintaining and teaching that there is a reward and a punishment for souls in the world-to-come and that the souls of the just and the righteous will find glorious repose and eternal bliss. As 'Abigayil said to David:

[...] and the soul of my lord will be bound in the bond of lives with 'Adonai thy God [...] [1Sm. 25, 29].

And the souls of the unrighteous and wicked will continue without repose, deprived of divine glory and clarity, which is the greatest imaginable punishment. To express it, 'Abigayil goes on to say:

[...] and the soul of thy enemies will be hurled away as out of the middle of the sling [*ibid.*].

² Da Silva seemingly allows here for da Costa's mistrust of the "establishment" which excommunicated and ostracized him.

But the Pharisees do not dabble in secrets of metempsychosis nor do they promise some souls glory and others eternal suffering; so this miserable beggar was again misinformed.³ Had he but merited to make good use of the faculties with which God endowed him — instead of allowing them to degenerate — then he would not have been deceived into believing that the reason *sehita* (the jewish method of slaughtering poultry and cattle) is carried out so compassionately is to spare the human souls which may be contained in these animals. Rather would he have been satisfied and happy to find out the true and hidden reasons for *sehita*. Then he would not have permitted himself such sneering witticisms as: “animals with bachelors’ degrees, no doubt!” and “what a stupid soul, not to have hung on!” Instead, he would have known that much against their will do souls come into the world, leave it again and give an accounting to God. So too shall the soul of this man go, willy-nilly, to its reckoning, however much he may protest that his soul is the soul of a brute animal. And what a black account it will be, unless he resolves in time to give a better account of himself.

Chapter 25

*Showing, that Contrary to Our Adversary's Barbaric Opinion,
We are Obligated to Hold Services and Memorial Prayers for the Dead*

He goes on to say:

Out of the above-mentioned errors others develop in quick succession such as the reciting of prayers and supplications for the dead; the making of offerings on their behalf to facilitate their release from the torments of a fictional purgatory; countless silly superstitions practiced at funerals. All these things are very offensive to the true Law and divine worship which neither use nor need such frivolities but rather do reject and abhor them.

³ If it is not the Pharisees that dabble in metempsychosis, who then are the “austere and saintly gentlemen” who laid down rules for the discussion of that very subject, as da Silva informed us above? Da Costa, at the beginning of (1624).II. 18, picks up da Silva’s inconsistency.

We have already stated that neither the Law, the prophets, nor the sages have made any clear pronouncement concerning the world-to-come, and even less concerning the fate of souls, because God kept that knowledge to Himself. God did not wish us to have more than a general notion, which we have already made quite clear. This notion is founded on the indispensable and inviolable principle of divine justice which demands compensation for the righteous who left this world without a reward and just deserts for the wicked who were not punished while on earth. This doctrine is so sound and infallible, that it spread throughout the world as if propelled by the force of natural reason and became common to all peoples, for all of them, however savage and barbaric, practise pious rites on behalf of their deceased.

Now by saying in general terms how immense is the goodness stored up for the righteous, Psalm 31, verse 20 implies that, conversely, the suffering stored away for the wicked is also commensurate. Even though our sages have expressed pious and well-founded opinions concerning the various categories of punishments by which the souls undergo purification, we shall not discuss any aspect of those opinions with this foolhardy and stubborn perverter. No doubt he will also say that the view of the heavens, so superb and majestic, is solely intended for our delectation, and that the abode of God and of His faithful ministering angels who continuously serve and praise Him, is not to be found there. But we who profess the contrary, and maintain that the dominion, power, vassals and ministers of earthly kings are but a faint shadow of those of God's sovereign majesty in heaven, accompanied, feared and loved by the entire angelic host, find it quite appropriate that into that sacred company should enter the souls of the righteous, having been cleansed and purified of their sins by Him Whose power and knowledge are incomprehensible and unfathomable.

Who then will show himself so unjust and unqualified a judge of the matter at hand as to reprove and condemn the rites practised by Yisra'el on behalf of its departed? Who but an uncouth and malicious scoffer would deny that God knows how to channel and guide its orisons and offerings to the addressee? To whom can appear as something evil the assiduous solicitude that we take to shroud corpses with cleanliness, to expedite their burial, to succour their souls by means of supplicatory prayers and by giving charity — which we believe to be propitious to them? Or to whom can any of this not appear to be a boon? "Countless silly superstitions practised at their funerals in contradiction to the Law"? We do not know of such. It would have helped had he listed the practices he considers abusive for he could then have been provided with their correct reasons or shown to be misinformed, as the case may

be. He apparently does not know of the funerary rites for kings practised in Yisra'el, as was done for the ancestors of Yehoram:

[...] and his people made no burning for him like the burning for his fathers [2Chr. 21, 19].

Need I mention the pains taken by 'Abraham to secure "the cave of the doubling" to bury Sara and to keep it as a possession [Gn. 23, 19-20]? Ya'aqob's charging Yosef to bury him in the Holy Land [Gn. 50, 5]?¹ I ask: what was the sense of all these precautions? The weeping for Ya'aqob 70 days in Egypt, what was it based on? To go and bury him with such an honourable and dignified suite and Yosef then observing for him seven days of *evel* [mourning]; for what purpose? Yosef entreating his brothers to carry his bones with them out of Egypt; what was the use? Mose busying himself so assiduously with this charge at a time when he had so many other important preoccupations and, finally, taking with him some withered, dried out bones; what mystery was behind all this?² Why look for another, when the Law discloses it? For it proclaims the great advantage and superiority of the Holy Land, when it states:

[...] and its soil will forgive its people [Dt. 32, 43].³

Moreover, God Himself shows that He takes a special interest in the burial of the righteous, to the extent that He buried Mose by His

¹ Cf. Gn. 47, 29-30, whence it would appear that Ya'aqob's wish was to be buried alongside his kinsfolk, not simply within the confines of Canaan.

² Ex. 13, 19 makes it clear that Moses occupied himself with the remains of Joseph in fulfilment of an oath.

³ Hebrew: *ve-kiper 'admato 'amo* (= "and He will atone for His people and His land" or "and He will atone for His people's land"). The Hebrew verb *ve-kiper* is in the masculine and in the context must refer to God; under no circumstances can its subject be the word *'adama* ("land") which is a feminine noun. Yet the B.T. (Ketubot 111a) suggests the grammatically impossible interpretation "and His land makes expiation for His people" in order to derive the doctrine that "burial in the sacred soil cleanses of sin and dispenses atonement." This doctrine gained popularity among Portuguese New Christians of the 16th and 17th centuries because it offered a means of wiping their slate clean of their Christian past. Da Silva, however, presents the Talmudic paraphrase of Dt. 32, 43 as though it were Scripture. True, the Ferrara translation's literalism: *y perdonará su tierra su pueblo* is ambiguous, but da Silva removes all ambiguity by adding the preposition *a*: *y perdonará su tierra a su pueblo* to make the verse serve his cause.

own hand [Dt. 34, 6] and did not consent that the remains of 'Elisa^c be touched by a sinner's corpse:

[...] and as the man went and touched the bones of Elisa^c he revived and rose up on his feet [2Kgs. 13, 21] ⁴.

Need I dwell on what we read and know of kings, prophets and grandees of Yisra'el, that all of them at the time of their death were much concerned about their graves? Or the great piety with which the living everywhere busy themselves in carrying out and fulfilling the last wishes of the deceased? Surely, great is the diabolical determination and odious the impudence of he who dares to assert that all of this (and much more, which we pass over for the sake of brevity) is nought but falsehood and vanity.

Let us sum it all up with the following words of the Law:

Ye are the children of 'Adonai your God; do not cut yourselves nor make any baldness between your eyes for the dead. For a holy people to 'Adonai your God art thou and of thee hath 'Adonai made choice to be unto Himself a precious people more so than all the peoples that are upon the face of the earth [Dt. 14, 1-2].

God exhorts the living not to overdo the mourning ceremonies, because both the living and the dead are His children and peculiar treasure. How are we to understand these titles seemingly suggesting great privileges? Surely they can only apply to the bliss of the world-to-come, since this world is a vale of tears? Who but one whose understanding is totally corrupt and depraved, will dare to claim that Yisra'el's dead come to an end without any further memory of them subsisting? For in this world the other peoples possess and enjoy all its goodness, and Yisra'el quite the opposite.

⁴ There is no mention of 'a sinner in this story. Da Silva's reading of it is only comprehensible in the light of a disputed aggadic interpretation. Cf. B.T. Sanhedrin 47a.

Chapter 26

*Showing that Jews are Obligated to Humble and Abase Themselves
and Even to Give up their Lives for the Sanctification of God's Name*

Our adversary goes on to say:

Mischief is the inevitable corollary of error, and this unfounded belief in immortality is no exception, in so far as it too has created havoc among its adherents. For in the expectation of greater [goods or greater] evils in the hereafter, they despise the goods and evils of this world. Some of them even went so far as to create new orders and rules of life, imposing on their bodies self-mortification not demanded by the Law and not adopted by its righteous followers. They dwelt in the wilderness, ate poorly, and dressed worse and, maddest of all, esteemed celibacy a holier and more religious state than that of legitimate matrimony, divinely and naturally instituted. Others stupidly offered their souls to cruel martyrdom. Vainly and without cause these wasteful and foolish people surrendered and discarded that life so highly valued by the ancient patriarchs. Crazy as a result of the false hopes they entertain and the vows which they take without consulting God, they do not know what they are looking for; and, being unappreciative of God's gift to them of the blessings of this life, they hardly merit leave to enjoy them.

Although this section seems to be directed at non-jews, specifically the papists who established monastic orders and, in violation of divine and natural law, condemned matrimony, we will respond to the part which also concerns us, where he censors the subjection of the body to rigours, and calls "madness" the constancy which impels one to give up one's life for the sake of God. On both these points he is in error as regards the Law and the examples given us by holy men doing penance. As far as the first point is concerned, such rigours within limits are legitimate, necessary and required by God for penitence and satisfaction of sins. In the Law God commands us to afflict our souls [Nm. 29, 7]. As to the other books of the Bible: how can anyone be unaware of king David's manifold fasts and vigils, of all the tears he shed, hoping that God would forgive him the sin which he had before him continually [cf. Ps. 51, 5]? Indeed it was thanks to these austerities that God did forgive him. Who has not read of king 'Ahab's penitence, that he rent his clothes, fasted and put on sackcloth and hairshirt [1Kgs.

21, 27]? Thanks to these meritorious actions God had mercy on him and testified to His acceptance of 'Ahab's penance:

Hast thou seen how 'Ahab hath humbled himself before me? [...] [1Kgs. 21, 29].

Who does not know of the contrition of the inhabitants of Nineveh and the abstinences they practiced after the prophet Yona had proclaimed the city's destruction, and that God had mercy on it? As to the second point, the Law commands us to love God with all our soul [Dt. 6, 5], which amounts to saying that we must be willing to surrender our very lives for His honour. The children of Yisra'el look upon such sacrifice as a part of their duty in God's service.

But for Thy sake are we slain all the day; we are counted as flocks for slaughter [Ps. 44, 23]

and it would be an empty claim on their part if it were the wrong thing to do and if it were better to blaspheme and commit idolatry in order to preserve one's life than to give it up for the sanctification of God's name.

Yesa'yahu, referring to the people, says:

Oppressed and taunted but still not opening its mouth; like a lamb led to slaughter [...] [Is. 53, 7]¹

and yet God approves his conduct and will reward him for it. Yesa'yahu earlier on evinces the insults and danger to which he did not hesitate to expose himself for the love of God:

My body I gave up to the smiters and my cheeks to those that plucked off the hair; my face I hid not from abuse and spitting [Is. 50, 6].

One could cite infinite examples, all to the same purpose, but we shall make do with those of 'Abraham and Yishaq, to show that while the patriarchs did esteem and desire life, it was to offer and surrender it to the honour and service of their Creator, which for human beings

¹ Although ancient jewish tradition identifies the "suffering servant" with the Messiah (in which case "its" should be rendered "his" in English, though in Spanish *su* covers both), medieval jewish apologists sometimes found it expedient to identify him with the people of Israel. It is their interpretation which is adopted here by da Silva.

is the highest and most praiseworthy observance of God's Law. Human beings who do not feel this way would have been better off never to have received and possessed life. Any opponent of this true doctrine — which is confirmed in the Law and by authoritative sages — clearly approves and proclaims the infamous and intemperate motto of the Epicureans: "Let us eat and let us drink, for tomorrow we shall die."

Chapter 27

Showing the Benefits that Ensue from Hope in an Afterlife, Refuting our Ignorant Adversary

Our adversary goes on to say:

No good whatsoever can result from this false opinion. When they say that without the expectation of greater goods or evils in the hereafter, people would not fear God but would all do as they pleased, they are talking nonsense. The dread of the gallows which the thief sees before his eyes exceeds the fear of hell which he cannot see: threatened with punishment which is doubtful or far-off, he simply replies that one has to eat just the same. With here-and-now punishments things are quite different. If someone about to commit murder were to be reminded that murderers are beheaded, surely he would desist. And if he be hardened to the extent that the thought of immediate execution holds no terror for him, the fear of a contingent punishment, from which escape may always seem possible, would be far less of a deterrent. Similarly the divine judgements and chastisements in this world are much more effective than threats concerning a future, unknown life. A soldier in war, where loss is more certain than gain, serves a lord for a pay so scanty that he can barely live on it. Will a man not better serve his own God, Whom he is obliged to serve, and Who pays munificently a service so easy that it seems hardly any service at all? "And now Israel, what doth the Lord thy God require of thee, but to fear the Lord thy God, to walk in all His ways [...]" [Dt. 10, 12]. Ways of righteousness, ways of justice, gentle and easy ways, which those who are not fascinated by torture love and desire; and on which [only] the perverse and wicked stumble: "How have Thy words become sweet to my palate; more than honey to my mouth" [Ps. 119, 103].

There can be no doubt that the Lord (blessed be He) compensates the righteous much more than he chastises the wicked, for He says that

He punishes the iniquitous up to the third and fourth generation and shows mercy for thousands of generations unto those that love Him [cf. Ex. 20, 5-6]. This being the case, it is the hope of reward — not fear of punishment — that predominates in the minds of those who believe in the world-to-come. How vile and perverse is the perception of this ignoble mind! It would impose limits on the infinite by restricting the purpose of the world-to-come to inspiring the living with fear and, what is more, applying that purpose and that fear only to thieving miscreants for whom here-and-now punishments hold no fright, whereas in reality this belief in the hereafter is far more concerned with the reward of the righteous than with the punishment of the wicked. So then why can there not result from it the benefit of consoling and comforting the afflicted in their troubles? Why can it not help to repress the evil thoughts and works of those who, even though they be not righteous, yet are not completely corrupt? Why should it not lead those who are ruled by the fear of God to identify with those who are imbued with His love, bringing all to cleave unto Him? Is this not the ultimate aim of love, the union of the lover and his beloved?

In conclusion, I ask: who is to oblige us to discover finite aims in a matter of infinity that God wished to keep concealed from us? As it is written:

How great is Thy goodness which Thou hast hidden for those that fear Thee [...] [Ps. 31, 20]

a verse which can in no way be understood to refer to this-worldly benefits, for these are not merely obvious and manifest, but quite common and, as experience shows, are sometimes lavished also on the godless.

Chapter 28

Concerning the Perdition that Awaits Him who Regularly and Obstinate Clings to Wrongheaded Opinions

Our adversary goes on to say:

For a time I found myself in the same darkness in which I know many to dwell, perplexed and assailed by doubts produced by false writings and the teachings of monstrous men. Certainty eluded me and out of

reach seemed the means to attain that eternal life, which I had been indoctrinated to believe in as the ultimate goal of human existence. That eternal life I then supposed to be a matter of supreme importance — yet one about which I was subsequently to discover that the Law is completely silent. After I set out to scorn and overcome the fear of men — having been impelled by the love of truth and the fear of God in Whom I exclusively put my faith — my fortune took a completely new turn, because God enlightened my understanding, liberating me from doubts about the things that were afflicting me and putting me firmly on the way of truth. Everyone could see my worldly goods increasing by leaps and bounds. Providence watched over me in a way that makes those least inclined to do so acknowledge it in spite of themselves. So I live contentedly, realizing what my end shall be and cognizant of the conditions of the Law which God enjoined me to observe. I do not get carried away constructing castles in the air any more than I deceive myself with false hopes of dreamt up bliss. Nor do I sadden or perturb myself with the dread of awful torments. For the human existence which God granted me and the life he lent me I render thanks, considering that before I existed He owed me nothing, but He chose to make me a human being and not an animal. In truth, the most distressful and wretched time in my life was when I believed that eternal bliss or misery awaited man and that according to his works he would earn that bliss or that misery. I would surely have rejected without any hesitation that agonizing insecurity and been satisfied to live with the promise of a lesser reward, had I but known at that time of another option. No doubt God allows such opinions to exist for the torment of the conscience of those who forsake Him and His constant truth. From here on we desist from citing any further cases in which so-called Tradition abusively deviates from the truth and the straight path of the Law, and refrain from proceeding any further against our incriminated adversaries, considering the first and principal clause of our Proposition, put forth above in Chapter 7, to have been satisfactorily proven by the cases so far adduced. At this point we are going to recount some anecdotes.

We know from experience that those who gradually accustom themselves to eat poison, end up by faring well on it. Whereas at the beginning they experience anxiety and harmful effects, after a while they feed on it as on natural victuals. Though it is a matter of philosophic and common knowledge that all people live and maintain themselves by what is congenial to their nature and destroy themselves by what is detrimental to it, in their case, that very substance which at the beginning of the diet they knew to be detrimental, by the end, thanks to habit, they believe to have become congenial and profitable. Such people do not even realize any longer that they are ingesting dangerous poison, since their organism has already assimilated the malignancy, like that of chronic consumptives, who are burning hot

and feel no fever but eat and speak like healthy people until they die — but not from the malignancy, because they have made themselves immune to it. That is what happened to Mithridates, king of Pontus, and many others who unsuccessfully tried to kill themselves with poison.

The human mind reacts in an analogous way. Its proper fare consists of truth and scientific knowledge, which sustain and strengthen it. Lies and wrong opinions corrupt and destroy it as venom does the body. And also like the body, the mind too, can become inured by the process of repeated dosage. Then, lulled into complacency, instead of the repugnance it would formerly have felt for aberrations and wrong opinions, the mind will accept them as its normal provender.

Of this process the sick man with whom we are dealing provides the perfect paradigm. He tells us that for a time his mind vacillated, without being able to come to a decision, due to the anxieties produced by the poison. But, feeding on it for so many years, and submerging himself in contagious and toxic opinions, stubbornly refusing to take the theriac of sound advice and correct doctrine, that mind of his became so confirmed in those opinions that it grew impervious to their depredation. And so, by persisting in his error, he has finally sunk into his ultimate blindness, boasting that he has been granted worldly goods for his merits, that he lives happy and content, that he praises God for the human existence he has been granted, appointing himself — contrary to all legal convention — his own judge. Were he, however, to listen to the unbiased judgement of others, he would hear it say that it knows of no unhappier or more wretched creature; hated, abhorred even, by his own brothers; expelled; humiliated; lacking all credit; without peace in his own household; childless; without *misva*; without *tefila*; in a word, deprived of everything. The worldly advantages from which he claims to derive consolation and which make him so conceited, such as enjoying good health and having enough to eat, are common to all humanity and not the prerogative of the meritorious. Even these he will soon lose as he himself admits when he says that the wicked should not be complacent about their riches for their punishment will not tarry long. And these few worldly goods that he now possesses, what blindness to claim that they came to him because he scorned the fear of men and put his faith in God. To attribute them to his own merits is contrary to the practice of righteous and saintly persons. Mose, with all his merits, supplicated God to let him enter the Holy Land for His mercy's sake, whereas he might have invoked those numerous merits.

Concerning him the Law testifies that he was extremely humble¹ and that was and has always been the attribute of the God-fearing righteous — living in distrust of themselves and putting all their hope only in God's mercy. Besides, to what merits may those many Israelites and gentiles who are much wealthier and healthier than he, attribute their good fortune? So this happiness that he prides himself on, is there really anything to it? Could it be his fine clothes? Surely others are even better dressed! Or could it be his delusion that neither felicity nor torment await him in a world to follow his enjoyment of so many boons in this one? Greater happiness will be ours for certain, we who hope for and believe that bliss awaits us in another world after all the evils of this one.

Now, to thank God for one's human existence would be reasonable if one made proper use of one's human condition, but he who so utterly demeans himself as to identify with animals would be better off as one of them. For an elephant, a lion and many other beasts, having greater strength and a longer life-span, being exempt from hunger, sicknesses and despondencies, live far better than humans who, as Hippocrates put it so well, are useless at birth, ignorant during adolescence, overweening in adulthood and miserable in old age. All these ills and endless others to which human beings are more prone than brutes, could not and cannot be mitigated, save by hope in future glory. Unimaginable, therefore is a more abject and despondent creature than a human being devoid of such hope. Thus our adversary is more unfortunate and worse off than the very worms, on whose miserable condition, so obvious and so well-known, one need hardly expatiate.

Herewith we conclude our well-proven demonstration of the rational soul's immortality, having refuted and explained away all the mistaken reasoning, all the misquoted and misinterpreted authorities alleged against it.

We will now go on to demonstrate the truth which our opponent strives and continues to strive to discredit, by denying the validity of tradition and Oral Law. Here, in fact, we have the root from which

1 By adding the reference to Moses' humility, da Silva somewhat dilutes his argument, for Moses — proverbially modest and unpreoccupied with his own merits — can hardly be a yardstick with which to judge lesser mortals. Sensing this, da Silva adds: "but humility was the quality of all righteous people." However, though none presumed to ask for divine favours on the strength of their merits, the Talmud abounds in instances of sages who ascribed their longevity and similar received favours to their piety. Cf. *e.g.*, B.T. Megillah 28a; cf. also Is. 38, 3.

proceeded and proceeds all his rankness. That root must be the Proposition which he claims to have satisfactorily proved and which he says he set forth in Chapter 7 of his book. If God gives us life and we can get hold of it — to that end we are diligently applying every effort — we shall refute it as well, showing it to be entirely false.

Chapter 29

Concerning the Oral Law and the True Tradition

The sages of the gentiles, however well trained they may have been in natural sciences, observation and analysis of data, yet — when it came to those areas of knowledge which depend on pure reason — incapable of reaching a consensus, split into opposing camps. There were great dissensions among them as regards the First Cause, the creation of the world, principles of natural causes and many other philosophical questions, which still continue unresolved for want of a qualified arbitrator. Considering the limitations of the human mind, it can hardly be relied on to come up with definite answers to questions so occult and so far removed from the senses. Thus, for all areas of scientific research, except those for which infallible answers exist, — such as arithmetic and geometry — some philosophical schools decided to rely on the authority of a great man who was so outstanding that his support would suffice to accredit any theory. An example of this would be Pythagoras' disciples who, when asked the reason for their belief, replied: "he said so."

But at the other extreme we find the sect of the Platonists who were taught by their Master not to accredit anything without manifest proof. Plato himself, reading the history and accounts of the creation of the world by Mose, is said to have exclaimed: "The rustic might be right if he could prove it!": "rustic" being the epithet he applied to someone who averred anything without adducing due proof and demonstrative reason.

The existence of this diversity demonstrates the impossibility of reaching true, sure and unfailing knowledge of hidden causes by way of reason, because through it one's comprehension is never entirely satisfied and all human reason involves a margin of error. What some

minds accept and admit, others loathe and despise. Consequently, to have absolutely sure knowledge, without any room for doubt, recourse must be had to such an authority that generally satisfies and compels. This authority, however, being impossible to find among persons, must of necessity emanate from the Lord God Himself and the prophets illumined by Him. Only those who possess it are anchored in the certainty, truth and purity of what they believe, without any room for doubt or margin of error. Here we have the favour and singular advantage which God bestowed upon Yisra'el alone, raising it above all other nations: Yisra'el has a Law given by the mouth of God Himself, whereby He frees us¹ from all possible disputes with the gentiles concerning the creation of the world, for He declares:

In the beginning God created the heavens and the earth [Gn. 1, 1]

and He confirms the truth we possess and believe concerning the essence and unity of the First Cause when He proclaims:

Hear Yisra'el, 'Adonai our God 'Adonai one [Dt. 6, 4]

and many other similar dogmas.² While these could be attained and acquired by analytical and natural reason, nevertheless, to reassure us completely and so that this truth be certain, constant and firmly established for us, it was necessary that God divulge it orally. Even this was done in such a way that He first prepared His people, showing it

¹ If da Silva's line of argument seems hard to follow, it is perhaps due to the uncertainty as regards whom he means to include in *us*. He seems to imply that he and his contemporaries have direct access to that infallible source of knowledge, and yet he never claims the gift of prophecy for himself or for anyone in his environment. In fact his belief seems to rely exclusively on tradition and its human transmitters.

² If da Silva has the christians in mind when he speaks of *gentes*, these examples seem singularly ill-chosen to demonstrate the existence of some jewish dogma undisputed by them. Augustine (*Confessions*, Book 12) claims that the words of Gn. 1, 1 can be understood in many contradictory ways, all of them defensible. He himself adopted the view that "heaven" and "earth" refer to the matter of the intellectual and the sensible reality. Cf. J.C.M. van Winden, "The Early Christian Exegesis of 'Heaven and Earth' in Genesis 1, 1," *Romanitas et Christianitas, Studia Iano Henrico Waszink*, Amsterdam-London, 1973, 371-382. For a trinitarian interpretation of the word *bara'* in Gn. 1, 1, cf. J. Reuchlin, *De verbo mirifico*, Basel, 1495, 3, 7. Dt. 6, 4 has been traditionally used in christian exegesis as a proof-text for the Trinity. Cf. Maimonides, *tehiyat hametim*, 1. One is surprised that da Silva, with his catholic upbringing and taste for far-fetched hermeneutics, should have been unaware of these christian interpretations.

sure signs, miracles and marvels with which He confirmed and reassured it in the knowledge of His wisdom and infinite power and compelled it to relinquish and totally divest itself of the wicked beliefs learnt in Egypt and to profess the truth; as they did after crossing the Red Sea, where the text says about the children of Yisra'el, now redeemed from slavery and avenged of their enemies:

[...] and the people feared the Lord and believed in the Lord and in His servant Mose [Ex. 14, 31].

'Abraham our father is praised for the virtue of faith, as it is written:

And he believed in 'Adonai and He accounted it to him for righteousness [Gn. 15, 6].

David says:

The road of faith have I chosen [...] [Ps. 119, 30]

as if to say that that is the sure path in which the wise God-fearing man must walk, because in the others, which incline to human reason, there always lurks the danger of going wrong. In the same psalm he further states:

all Thy precepts truth and faith [cf. Ps. 119; 86, 151]

as if he were saying that all the precepts of the Law, even if a rationale could be and is given for them, have a little additional something which etherealizes them, namely to believe in them as a matter of faith and that inherent within them is some additional aura in their being commanded by God. Thus, while the gentiles are instructed by their laws not to steal, murder or commit adultery for considerations of polity, in God's Law, besides these considerations, there is the factor of obedience as a consequence of their being believed in as a matter of faith. So in addition to their clear rationality, they possess also the quality of divine fiat. This is a great mystery, so great that the psalmist, wishing to point out the superiority of God's Law and of Yisra'el, was inspired to exclaim:

He hath not done so unto any nation, and ordinances they knew not [...] [Ps. 147, 20]

to wit, in their laws they did not know or attain more than the clear and evident rationale, commanded to ensure peace and efficient administration of society here on earth, but in God's legal prescriptions there is a great difference, so much so that the gain and reward of having and keeping them reach to the world-to-come. Scripture says:

[...] in keeping them there is great reward [Ps. 19, 12]

a reward which derives from the aura and mystery inherent in believing them as a matter of faith, uniquely granted to Yisra'el. This is the meaning of:

Open the gates, a righteous nation will enter, which keepeth faith [Is. 26, 2].

Those who arrogantly put themselves beyond the pale of this truth and faith, and presume to know the Law, are blind and ignorant wretches, unteachable and unworthy of instruction, about whom the prophet said:

Woe unto those that are wise in their own eyes, and intelligent in their own esteem! [Is. 5, 21].

Having now well proved and shown this truth, that in the written Law we have many tenets of faith — even though a valid rationale may be provided for them — we will now propound another truth, which is also a matter of faith with us. That truth is that the written Law cannot be properly understood except by means of the genuine Tradition given on Mount Sinai by God to Mose. This Tradition — or explanation of the written Law — is called Oral Law. Although we believe in it on faith and accept it unquestioningly as a teaching of our forebears, yet there is no lack of compelling, demonstrable and convincing arguments to show that the written Law cannot be understood without recourse to it, unless one is to run the risk of committing the gravest errors. This will become evident in the next chapter.

Chapter 30

Containing Some Proofs of Tradition and the Oral Law

Everything that human beings know is culled from three sources: authority, reason and experience. When we find things out by experience, we do so using our physical senses such as tasting, seeing and touching. Ascertaining through reason we do by analysing, distinguishing and examining. But that knowledge taught us by authority we believe and affirm. Of these three origins of knowledge, only authority — on condition that it emanate from a root and fount not susceptible to error — provides firmly established facts.¹ Reason is beset by a thousand shoals, because each one of its analytical tasks — composing and dividing, recognizing and separating the consequent from the inconsequent and, lastly, distinguishing the false from the true — presents a possible pitfall. To remedy this state of affairs logic invented instruments for defining, dividing and inferring, bringing in every type of proposition and syllogism and yet none of this suffices to prevent the confusion of theories which bedevil the sciences, the proliferation of religious sects, the immense variety of opinions presented by natural and political philosophy.² So it has been aptly said: "Count the heads and you have counted the opinions." Experience, even though it provides more certainty than does reason, still has its limitations, because it may be confronted by anomalies, such as the heating of the human body by means of snow and its cooling by means of hot baths; the lowering of fever by drinking wine and its heightening by drinking water; and similar anomalies.

But if something is ascertained in all three ways, such as that Oral Law which we of the people of Yisra'el hold and believe, who can doubt its infallibility and inviolability? For we have authority by way of Tradition and the teaching of our forebears, assuring us that it originated

1 Ultimately, then, it is that imperfect, frail human creature that has to recognize what is truly divine and sift it out from what is not.

2 Interestingly, da Silva classifies the diversity among religions along with diversity in other areas of human endeavour, as all being equally the result of the same mental processes. Further on, though, he seems to make an exception for the Oral Law, which is the basis of Pharisaism.

from the root and fount of Truth itself, which is the Lord our God, Who gave that explanation of the written Law to Mose on Mount Sinai.³ Mose transmitted it to Yehosua^c and Yehosua^c to the Elders and so on successively. Now howsoever such a well-founded and genuine authority suffices us, its credentials do not lack for strengthening by the bonds of experience and reason. As for experience: it is the most ancient, authentic and trustworthy of all the world's oral traditions, maintained for thousands of years, assailed by enemies and tempests galore, yet not one of them could impugn a single iota of its truth, founded on divine authority and so well impressed on the minds of good jews that death itself is insufficient — I do not say to extinguish it — but even to obfuscate its glory.⁴ As for reason: though there are many arguments to support its truth and authenticity, I shall cite just a few which should convince even the most rebellious and contumacious person in the world.

First argument: the written Law we believe by Tradition and faith, as can be clearly seen from the following. Just suppose it were lost and found again after a number of years, how could one accept its authenticity, except on faith, and by the authority and Tradition of the ancients? And this is by no means a hypothetical situation, but one that really and truly faced the people of Yisra'el during the reign of king Yosiyahu. As we are told in 2Kings 22, Hilqiyahu, the High Priest, brought him a book of the Law which had been discovered sandwiched between the masonry of the Temple. Although the contents of the book were totally unfamiliar to the king, nevertheless he took it on faith that what Hilqiyahu had brought him was the authentic book of the Law and he ordered the precepts it contained to be punctiliously observed. All the people, too, pledged themselves to obey, whereby they manifestly acknowledged the credence that is due to traditions as well as the binding force of transmitted teachings.⁵

3 Da Silva's belief in what he calls the Oral Law, derives, as he tells us, from his reliance on the forebears, whom he evidently thinks infallible — though he does not say this in so many words.

4 Experience — one of the three ways — is defined above as knowledge gained by means of the senses. But da Silva fails to explain what *e.g.*, tasting, smelling and seeing can tell us about an Oral Law. Apparently, he uses "experience" more in the sense of "collective historical memory," confirming the Tradition.

5 The comparison made in this paragraph between belief in the authority of Tradition and in that of the Pentateuch is difficult to understand because, while there are references throughout Scripture to the Book of the Law of Moses, there is no hint of an Oral Law.

Second argument: the written Law commands us to search out traditions and to learn them from our forebears:

[...] ask thy father and he will tell thee; thy elders and they will say it unto thee [Dt. 32, 7]

and:

If a matter be unknown to thee [...] And thou shalt come unto the priests [...] [Dt. 17, 8-9].

How can anything be more clearly stated than this, that in matters of doubt, God refers the plaintiff and the defendant to an authority in the Law, who will resolve the cases according to that Law, demanding obedience to his decision on pain of capital punishment? Had everything in the Law been fully expounded, all the people could have consulted it directly and saved themselves the trouble and expense of going to Jerusalem to consult the highest court of justice and imposing superfluous activity on those sages.⁶

Third argument: the letters of the Hebrew alphabet are all consonants and, instead of vowels, a system of points and dots has been devised. These, however, may not be marked in the scrolls of the Law, so that the vocalization is only known through oral transmission. Thus, in the Law and the rest of Scripture, a reader unaware of the traditional vocalization would encounter many apparent homonyms, for instance, the frequently recurring word spelled *zayin*, *kaf*, *res*. Yet, thanks to the traditional vocalization we distinguish between *zakar*, *zeker*, *zekor*, which respectively signify "male, memory, remember." Now, since all Yisra'el conforms to this traditional pronunciation and no one ever substitutes *zakar* for *zeker*, or *zeker* for *zekor* — and the same goes for many other merely apparent homonyms — who would be the sceptic so contumacious or blind as not to see or admit that our reading of the text of the Law and Scripture — without there being any discrepancy between us — derives from and depends exclusively on oral tradition?

I shall not dwell at length on all those words which in the Law and the rest of Scripture are read at variance from their spelling, *e.g.*, *homa* which we read thus — though spelt without a *vav* — and take to mean "wall," although read phonetically *hama*, which means "heat" or "sun"; *le'olam* without a *vav* which we read thus and take to mean "forever,"

⁶ One wonders, if there were in existence an Oral Law given to Israel by Moses, why all judges in Israel should not have been familiar with it.

although read phonetically *le^ealam*, which means “in order to conceal”; etc. All Yisra’el reads and always read *homa*, not *hama*, though it has no *vav* [Ex. 14: 22, 29] and always read *le^eolam*, not *le^ealam*, though it has no *vav*, as for instance:

[...] this is My name forever [...] [Ex. 3, 15].

Surely this uniformity could not have been maintained without the Tradition and divine inspiration, for it passes the understanding that all would read the words the same way, without any discrepancy, and even more so in cases where the traditional reading seems to make less sense than what is actually written.

Fourth argument: there are verses in the Law whose interpretation would be open to dispute but for Tradition — and yet uniformity is what the Law demands, as it says:

One Law [...] shall be for you [...] [Nm. 15, 16].

With a scriptural text that allows for such diversity of interpretation, how could there still be only one Law, without the Tradition?⁷ Out of the many examples illustrative of this truth we have chosen three. The first is a verse which treats of work prohibited on *sabbat*:

[...] let no man go out of his place on the seventh day [Ex. 16, 30].

The second speaks of the feast of Tabernacles:

And ye shall take unto yourselves on the first day fruit of the beautiful tree [...] [Lv. 23, 40].

⁷ This argument assumes that Scripture when promulgating “one Law” had in mind total conformity, down to the minutest detail. Noteworthy in the Pentateuch is the unevenness between the comprehensive and detailed treatment of some laws (e.g., [Ex. 21, 2; Nm. 35, 10, ff., Lv. 1, 2ff.], until the end of the civil law) and a few general directives for others. Is it not really quite conceivable that where it did not specify, the Law actually intended to allow for discretion? Moreover, the Law sometimes explicitly invites diversity, as for example, when it says: “each according [...]” [Dt. 16, 16]. Nor is there total conformity with regard to certain obligatory sacrifices, such as those brought by a leper upon his purification; the sacrifice is in proportion to his means. Da Silva himself, in the next and last chapter, will inform us that Scripture either mandates or legitimizes alternative methods for fixing new moons, and proclaims both the ninth and tenth of the seventh month as days appropriate for fasting.

The third one reads:

And thou shalt write them upon the door-posts of thy house and upon thy gates [Dt. 6, 9; 11, 20].

Here is where the Tradition comes in to teach us that the word “place” in connection with *sabbat* means a distance of two thousand ells, which is as far as one may go on *sabbat*; that the “fruit of the beautiful tree” is the citron; that the words to be written on the door-posts run from “Hear Yisra’el” through “and upon thy gates” [Dt. 6, 4-9]^{8,9}

What is left to those who deny this tradition but to drown in a sea of absurdities? Some will say that the “place” in Ex. 16, 30 is one’s home; others, one’s town or city. Some will claim that the “beautiful fruit” is an orange or a quince.¹⁰ Some will propose the Ten Commandments to be written on the doors, others the entire Law. It will all be one big confusion.

Just see what happens to those who want to translate the Holy Bible in total conformity with the Hebrew original, a manifest impossibility. Thus, of the six translations into Latin which we know of, called “Latin vulgates” (Jerome’s, the Chaldaic Latin, Pagnino’s, Ebero’s, Münster’s, Arias Montano’s)¹¹, no two are identical and all of them are

⁸ Cf. da Costa I.14, note 62.

⁹ Aside from the difficulty in respect to his general argument, da Silva’s three examples seem particularly ill-chosen. The context of Exodus 16, 30 (as, ironically, pointed out by da Costa) makes it clear that it was addressed to the manna-gatherers who sallied forth daily to forage but were to refrain from this activity on the Sabbath. Incidentally the Talmud, on the whole, regarded the 2000 ells as a non-Biblical provision (cf. B.T. Sanhedrin 66a and Sotah 27b and 30b). The word *hadar* in Lv. 23, 40 is either the name of a particular tree commonly translated “beautiful”, in which case it would have been self-explanatory (a view found in the Talmud); or else it indeed means “beautiful” — the Law not wishing to narrow the choice to a particular species. Either way the Law is not defective, neither is it in requirement of a supplementary corpus to make it workable. The same objection can be levelled against da Silva’s third example.

¹⁰ It will be noted that the “fruit of the beautiful tree” has here become a “beautiful fruit.” For the source of da Silva’s arguments, cf. our Introduction, 3.

¹¹ The reference is to the following Bibles: 1) Jerome’s Vulgate (383-405), *editio princeps* Mainz, 1456; 2) the Complutensian Polyglot (containing the Vulgate and Latin versions of the Septuagint and the Chaldee paraphrase, Alcalá de Henares, 1514-1517; 3) the modern, super-literal translation by Sanctus Pagninus (1466-1541), *editio princeps*,

at variance in many places with the original Hebrew. Now if this is the case with a text and words which depend for their comprehension on watertight rules of grammar, what other means is there of safeguarding their essential and true significance and intention, if not recourse to the divine Tradition? Either one recognizes and follows that sure guide, or one stumbles and adopts dangerous absurdities to which are prone all those who depend on varying and inconstant man-made interpretations, which in matters as weighty as those of the Law are totally unacceptable.¹²

Nor shall I dwell at length on assertions in the Law that are in direct contradiction with one another. Take, for instance, the verse:

And the residence of the children of Yisra'el [...] in Egypt was 430 years [Ex. 12, 40].

Now Qehat, the son of Levi, was one of those who went down to Egypt. And if we add up all the years of his life and those of his son 'Amram, plus the 80 years of Moses' age when he brought the children of Yisra'el out of Egypt, we reach a total of only 350 years.

We also read in the Law:

With 70 souls did thy fathers go down into Egypt [...] [Dt. 10, 22]

yet if we count them one by one we find only 69. Therefore — to conciliate these and other contradictory statements, as well as to obtain and follow a correct interpretation of the verses cited earlier on and of many others which resist elucidation by human minds — there must of necessity be some superior guide to put them at rest and reveal the truth. That guide is none other than the Tradition, which was essential if there is to be one Law and one code [cf. Nm. 15, 16]. Without the Tradition that would not have been possible.

Wittemberg, 1565; 5) the *Hebraica Biblia* (Basle, 1534-1535) of Sebastian Munsterus (= Münster) (1489-1552), containing the first Protestant translation of the Old Testament; 6) the *Biblia Polyglotta* or *Biblia regia* (Antwerp, 1569-1572) by Benito Arias Montano (1527-1598), containing the Vulgate and Latin translations of the Aramaic Targums, the Septuagint and the Peshitta, plus volumes of scholarly notes.

¹² Da Silva does not attribute the existence of doubt and controversy among translators as to the meaning of certain words and phrases in the Pentateuch to the evolution of the Hebrew language, nor to the translators' lack of mastery of the ancient tongue. Thus he insinuates that the Pentateuch's obscurity was inherent from the beginning and intentional.

Fifth argument: God concludes His detailed instructions to Mose in respect to the construction of the tabernacle with the words:

[...] thou shalt make it as I showed it to thee on the mount [cf. Ex. 27, 8]

which shows that for the work to be carried out to the desired standard of refinement and excellence, written directives alone did not suffice, but had to be augmented by orally transmitted instructions. And even this had to be supplemented, for God had to fill the hearts of Bezal'el and 'Aholiab with understanding and wisdom for their craftsmanship to reach an even sublimer level.

Many other arguments could be adduced to strengthen the five we have already given, but we can only touch lightly on a few of them. Were we to include all and expatiate on them, we should never conclude. Mose spent repeated periods on the mountain — of 40 days and 40 nights each — during which he neither ate, drank or slept. Since he was not an idler, how could he have occupied himself, except assimilating this divine Tradition?¹³ The children of Yisra'el spent forty years in the desert, free of worry about their livelihood. What could have been their occupation, except to undergo instruction from their master Mose who governed them in conformity with genuine traditions? We need but observe how, when he was not sufficiently informed, he consulted and enquired of God as to what he should do. That is how he proceeded in the case of the blasphemer [Lv. 24, 10-16] and of the one who was gathering sticks on *sabbat* [Nm. 15, 32-36], both of whose sentences were delayed until God declared their fate, although according to the Law as it then stood they deserved death.¹⁴ Can anyone doubt that there were many more cases of this sort — not mentioned in the Law — which perforce had to be decided according to the Tradition?¹⁵ There are so many matters of great moment on which Scripture is silent, such as

¹³ Scripture itself states quite clearly what Moses did on Mount Sinai. Cf. Ex. 24, 12; 34, 28; Dt. 9, 9-11; 10, 10. Especially Ex. 24, 12 leaves no room for any non-written Law.

¹⁴ Da Silva fails to divulge his source for the assertion that blasphemy and gathering of sticks on sabbath were capital offences in Israel prior to the two incidents that appear from the text to have occasioned new legislation.

¹⁵ The author's logic is once again elusive, for if God had to be consulted, then there was presumably no codified Oral Tradition covering these cases. Unbeknown to da Silva, this precise point was made by da Costa (cf. [1624].I.1.5). Thus the adduced examples, if anything, militate against the existence of an Oral Law given at Sinai. Alternatively he believes the blasphemer and wood gatherer to have offended at a time prior to the Sinai revelation, in which case the incidents can prove nothing as regards an oral law given at Sinai.

the forms to be observed for buying and selling, deeds of dowry and divorce, last wills, contracts, obligations, mortgages and endless other possible everyday contingencies of a kind that must have arisen, for we read that Mose sat to judge the people the whole day and turned to God for consultation [Ex. 18, 13-15]. So numerous and complex were these law-suits that Yitro felt obliged to advise Mose to employ assistant judges and to leave to himself only the most difficult cases. It would not be correct to say that the adjudication was left to the discretion of the judge, to resolve each lawsuit in accordance with persons, time and place. For we see that Mose did not act so when Selofhad's daughters claimed their father's patrimony. And even though this case was amenable to Civil Law, Mose refrained from giving a decision before consulting God [Nm. 27, 1-11; 35: 5-6, 10]. Moreover it is apparent from the advice that Yitro gave Mose that the latter did not judge on the basis of his own opinion and evaluation, nor was the written Law adequate for their determination, but it was necessary to have recourse to the Supreme Judge, as Yitro says:

Now hearken unto my voice, I will give thee counsel and God shall be with thee; be thou for the people to God-ward, and thou shalt bring the causes unto God [Ex. 18, 19]¹⁶.

If any one is hard-hearted and pertinacious enough to require further proof of this truth [*i.e.*, of the inadequacy of the Written Law], we need only add that there is no prescription in the Law to recite *tefila*; yet we have many examples of saintly men who did so.¹⁷ It must therefore perforce have come down from them to us by a continuous and pure tradition.

I shall not dwell on the fact that whatever glosses are made on the laws, constitutions and legal decisions of the gentiles, depend for their validity on their degree of faithfulness to the author of those original legal decisions, constitutions and laws. Perforce, therefore, the interpretation of our divine Law depends solely on the Lord our God, Who authored it and all the glosses furnished by diligent God-fearing

¹⁶ This verse seemingly constitutes yet another proof for the non-existence of a codified Oral Law.

¹⁷ These examples he speaks of are to be found in the Law, and "the saintly men" include Abraham [Gn. 20, 17] and Moses [Nm. 21, 7; Dt. 9, 26]. Unless da Silva believes that only prescription formulated as law in the narrower sense was intended by the Torah as instruction for Israel, it is hard to fathom his assertion that prayer is not prescribed in the Law.

scholars are guided by and directed to it. Let all glosses which deviate from it be considered absurd and detestable, sprouted from the minds of ignorant and arrogant men.¹⁸

There is no validity to the argument which claims that it would follow from the preceding that there are two Laws. In fact, the written and oral laws are a single entity, Scripture being the body and its interpretation the soul. Scripture contains its interpretation *in potentia* and, conversely, from the interpretation one could infer and reconstruct the written Law. The one and the other depend on God, Author of all perfections and truths. If it were otherwise — if the interpretations of the Holy Law had been dependent for their inspiration on human beings, they would, like all human understanding, be subject to lies, as it is written:

[...] every man is a liar [...] [Ps. 116, 11]

Last Chapter

Concerning the Truth of our Calculations of the New Moon and Other Solemnities

What in Hebrew is called *ros hodes*, or beginning of the month, is called in Latin *novilunio* or *interlunio* and in our language *conjunção da lua* (conjunction of the moon), all of which terms refer to the moon when it is completely hidden from our view. The moon does not emit light of its own, but depends on the sun for its brightness. At the time of the conjunction sunlight hits only that part of the moon which is always hidden from human view, so that, for several hours, as long as it is on the same longitude as the sun, the moon is entirely invisible to us. Then, through the continual movement of the planets, the moon

¹⁸ Da Silva starts off this argument recognizing that the interpreters of any legal system are not necessarily identical with its framers. But as the argument unfolds, he seems to have adopted the assumption that a law and any valid interpretation thereof must originate with one and the same author.

goes out of its temporary alignment with the sun and into a position facing it. As the two bodies get closer and closer to a face-to-face position, we say that the moon waxes, *i.e.*, a progressively larger part of its visible surface is illuminated. When it is face to face with the sun, its visible surface is entirely illuminated. This is called opposition, *plenilunio* or full moon. It appears to us in the east, and the sun, opposite it, in the west. Then the cycle continues in reverse direction, the moon receiving progressively less light from the sun. As it moves closer to that star it appears to us to wane, until it is once again totally obscured from our view. In this perennial lunar cycle there are 14 days plus several hours of waxing until it is full, and the same time span of waning until it is new.

The conjunction of the new moon was much celebrated by the ancient Chaldeans, Persians and Greeks, but especially by the Hebrews. They gave up the astronomic computation of its occurrence and proclaimed the first day of the month when two persons testified to the supreme magistrate of the Sanhedrin in Yerusalayim that they had seen the new moon, whereupon they solemnized that day by means of a sizeable sacrifice, as the Law commands:

And on the beginning of your months shall ye bring a burnt-offering unto 'Adonai, bulls the young of cows: two [...] [Nm. 28, 11].

Our people abandoned the astronomic computation, not because they lost or despised it. Indeed, they continued to follow it and by its means they knew in advance on what day to expect the witnesses. If these did not appear during that day, they would sanctify the following day, whether or not the witnesses showed up. As a result there were often two days of new moon in Yerusalayim, as it is written:

And it came to pass on the morrow of the month, the second [...] and Sa'ul said to Yehonatan, his son: "Wherefore is the son of Yisai not come, both yesterday and today, to the repast?" [ISm. 20, 27]

Our sages considered this method of sanctifying the months more accurate than the astronomic computation, especially for months when the conjunction occurred at midnight or at noon. They had been given full authority and permission to fix the new moons either way, as may be seen in the wording of the first precept given the children of Yisra'el in Egypt:

This month shall be unto you the head of months [...] [Ex. 12, 2].

The phrase “unto you” means: ‘the manner of sanctifying it at its beginning is left up to you’ —, “you” being firstly Mose and 'Aharon, but “you” also designates their successors. It was for them to regulate and order and for the people to obey, as was done during many hundreds of years in Yerusalayim — as long as the sway and jurisdiction of the High Magistrate of the Sanhedrin lasted. Their authority in this respect extended very far, as may be seen by the wording “this month”, which avoids naming any month in particular. This wording leaves it to the discretion of the Magistrate to proclaim the first month when it seemed to him that by doing so the festival of *pesah* would fall in the spring, as the Law commands:

Observe the month of the early crop and thou shalt make *pesah* unto 'Adonai thy God [...] [Dt. 16, 1].

The “month of the early crop” does not always occur at the same time of the solar year, but sometimes earlier and sometimes later. Seeing that God ordered — besides the choice of the “month of the early crop” — the people to betake themselves on the three festivals to Yerusalayim, He left the highest magistrate the option of anticipating the proclamation of the first month by one month according to the demands of the occasion and the variations of climate. The magistrate's decision would depend on whether the trees were already sprouting or flowering; on the possible discomfort to pilgrims occasioned by the bad state of the roads due to floods; broken bridges, etc. Nor did the authority of the magistrates end there. If it seemed expedient, they could prolong any given festival, solemnizing more days than the Law commands, as did Selomo who, because of the great assembly of the people, prolonged the feast of Tabernacles and caused it to be celebrated for fourteen days, although the Law commands merely seven [cf. 1Kgs. 8, 65?].¹

However, in this manner of proclaiming and sanctifying the conjunctions and solemnizing the beginnings of months by way of ocular witnesses, there is one great drawback. Those who dwelled outside the Holy Land were always in doubt as to when to celebrate the festivals, since they did not know which of the two days at the begin-

¹ Cf. 2Chr. 7, 8-9. Da Costa's objection to this erroneous statement ([1624].I.13) is well-taken. The first seven days of King Solomon's feast were spent in the rites of dedication and the last seven days coincided with the feast of Tabernacles.

ning of the new month had been sanctified in Yerusalayim and notice could not reach them in time. To avoid transgression, they celebrated every festival for two days outside the Holy Land, save only the Great Day of Kipur. Since not all would be able to fast two days consecutively, it was decided always to determine its date by counting ten days from the first day of the seventh month. If it should later transpire that the beginning of that month had been proclaimed in Yerusalayim on the second day and they had accordingly celebrated Yom Kippur on the ninth day, they had not transgressed the Law, which had anticipated this situation and provided a remedy, for it is written:

[...] and ye shall afflict your souls on the ninth of the month on the even [...] [Lv. 23, 32]

as if to say: 'Even though the fast of the seventh month is prescribed for the tenth day of that month, were you to hold it on the ninth, it will nevertheless be accepted'.²

That great sage, Rabbi Hillel, prince and president of the Sanhedrin of his time, pondering that the captivities and exiles were fast approaching,³ as a result of which Yisra'el would be scattered over the four corners of the earth and that, consequently, the practice of sanctifying the beginnings of months would entirely die out, calculated the dates when all the festivals would fall, until the end of the world, on the basis of the conjunctions of the moon, coordinating them with the solar calendar by means of the epact. His system was applied in the Holy Land, but outside its borders quarrels arose, some desiring to apply the new Holy Land system, others desiring to continue as they had done until then. The matter was submitted to the exalted judgement of the Sanhedrin in Yerusalayim, which decided that those who dwelt in the Diaspora should on no account abandon the ancient practice of their forefathers. While the judges of the Sanhedrin did not explain their verdict, they must surely have had a very good cause and reason for it. Perhaps to impress upon our minds, by way of consolation, that we would not always be in exile from the Holy Land; or so

² The source of this inventive exegesis and of most of the following paragraph is Leon Modena's *magen ve-sina*. Cf. our Introduction, 3.

³ The author appears to confuse two distinct Hillels. The one who supposedly foresaw the dispersion was the first. The Hillel who reformed the calendar was a remote descendant who lived centuries after the destruction of the Temple.

that from one festival to the other we should keep alive the hope that we would one day return there and take delight in going back to the old practice of waiting for ocular witnesses before proclaiming the first days of the month; or to make us feel more deeply our loss and misery, pray God to take pity on us and redeem us and bring us back to our land where we may all celebrate our solemn feasts at the same time; or, lastly, because it seemed unjust to take away from those extra festival days the dignity and privilege acquired so long ago and confirmed over such a long period of time. There may have been other reasons still. In any case, they ordered that the old usage be kept and followed, for they believed that less scandal would result from keeping an old custom, initiated and followed by their predecessors, in a sphere wherein they had power and authority, than to diminish its prestige by derogating from it, which might give people occasion to diminish the respect and obeissance due to the rites of the ancients and men of high rank in Yisra'el. For even the smallest change in an ancient and established custom would perilously open the door to more extensive changes, resulting in the total extinction and ruin of received and approved laws and ritual. This truism has led worldly wise people to say that it is better to tolerate a traditional precept — even one not intrinsically well-founded — than to introduce a new one, even though it were an improvement. In this case it cannot really be said that we are following a custom which is not good. One that was followed by prophets, kings and magistrates, there is all the more reason that we should follow. Contradicting and impugning it would be intolerable, criminal insolence and wickedness.

Wishing to overthrow these truths and well-established teachings some have argued that if the conjunction of the moon were calculated astronomically we could dispense with observing two days of *ros hodes*. The objection has also been voiced that we sometimes proclaim *ros hodes* on the first day many hours before the conjunction. These strictures are invalid because the keeping of two days of *ros hodes* in some months was a useful and necessary ordinance. The purpose was to equalize the months and ensure that their excess of several hours over the days do not accumulate and thus upset the calculation. As to proclaiming *ros hodes* several hours before the conjunction, there is no harm in it, because when this occurs we do not base our calculation of the festivals on the first day, but on the second, which we call the first of the new month and the first day of *Ros Hodes* is reckoned as the last of the preceding month.

From all the above may be deduced the truth and solidity of the dating of our new months and of the solemn festivals which depend on them, as well as the wisdom, ingeniousness and diligence of our great sages who authored these infallible calculations, approved and followed by the foremost experts of the gentiles. Equally manifest is the appalling ignorance and churlishness of their opponent, who, equipped with feeble arguments, arrogance and contumacy had the nerve and audacity to attack them, desiring to storm heaven and have it out with God, much like the giants of old who founded the Tower of Babel, he who cannot even put up a ramshackle hut. But soon God will destroy him with a conspicuous and fearful punishment unless he quickly repents of his error and rebellion, begging God to have pity on him, which He may bestow upon all His people Yisra'el and redeem us from all our captivities and blindnesses through His infinite mercy. AMEN.

FINIS

APPENDICES

Appendix 1

*Transcription of Document Handwritten and Signed
by Uriel da Costa at Coimbra, October 8 1601*

Alvaro Soares, residindo na corte de Roma, impetrou alguns beneficcios contra a ordem de V[ossa] M[ajestade] e cometeo outras culpas, pellas quais se p[ro]cedeo contra elle, e foy desnaturado destes reinos; e ultimamente impetrou hum canonicato nesta See; e mostrando-lhe o agente de V[ossa] M[ajesta]de na Corte de Roma hũa carta, na qual V[ossa] M[ajesta]de lhe ordenava impetrasse o dito canonicato pera certa pessoa, e encomendando-lhe desista da graça que S[ua] S[antida]de lhe tinha concedido, elle o não quis fazer, antes se [lhe negou] a sumissão devida, mandou ha estes reinos procuração pera em seu nome se tomar posse do dito canonicato, o qual se lhe ouvera de [dar], se V[ossa] M[ajesta]de não mandava escrever ao B[is]po nosso prellado, encomendando-lhe a não desse, por quanto estava desnaturado, e compria asy o seu serviço; e outro sy o p[ro]curador da coroa destes reinos por ordem de V[ossa] M[ajesta]de mandou notificar aos notarios desta cidade pera que em nome do p[ro]curador do dito Álvaro Soares não pedissem a dita posse, nem fizessem neste particular requerimentos alguns. E estando o negocio nestes termos, alcançou de V[ossa] M[ajesta]de licença, se vir ha esta corte, dar descargua das culpas que lhe foraõ impostas. E andando m[ui]tos meses neste requerimento, foi V[ossa] M[ajesta]de servido de lhe perdoar, fazendo-lhe outrosy m[ercê] de o admittir a natur[alidade], fazendo-o com isso capas pera se lhe dar posse do canonicato e prebenda de que S[ua] S[antida]de lhe tinha feito m[ercê], como de facto lhe deu, tanto que mostrou melhoramento da sentença que contra elle estava dada. E ora chegou a nossa noticia que elle tinha alcançado hum breve de S[ua] S[antida]de, pera lhe serem tornadas todas as distribuições quotidianas, des no dia, des no tempo que lhe fora feito graça do dito canonicato e prebenda, atee o dia que se lhe deu posse, sem embargo de estar nesse tempo desnaturado, nem estar por nos deixado elle de estar admittido, e de se lhe dar posse do dito beneficcio. O que não somente he contra direito e costume immemorial nas chatedrais destes reinos, mas muito contra o serviço de V[ossa] M[ajesta]de, pois não deve ser sua tenção que as pessoas que V[ossa] M[ajesta]de ordena sejaõ desnaturadas, ou por culpas, ou por impetrarem beneficcios contra a ordem que nisso tem mandado tomar, devaõ, estando em Roma, ganhar as destribuições quotidianas, devidas somente aos interessantes no serviço da igreja, e que ajaõ de estar em deposito as tais destribuições todo o tempo que estiverem desnaturados e fora da graça de V[ossa] M[ajesta]de, atee que alcancem perdaõ de suas culpas e sejaõ admittidos, ficando os beneficiados presentes, comprindo com suas obrigações e sustentando o pezo do serviço da igreja; e porque semelhantes breves se passaõ pera por elles se fazer execuão, sem neste reino se tomar conhecimento da causa, nem serem as partes ouvidas, e a resolução que se tomar no caso de Álvaro Soares a de ficar por exemplo ha os que ora estão desnaturados e ao diante o forem, pedimos a V[ossa] M[ajesta]de nos faça m[ercê] mandar ao dito Álvaro Soares ponha ordem nesta sua pretenção e se escreva ao agente em Roma impida qualquer breve que no caso se pedir ou for pedido, ou que pello menos não sejam os executados, sem neste reino serem ouvidos por parte desta igreja, na qual com o particular serviço que lhe devemos, pedimos todos os dias a D[eu]s guarde a V[ossa] M[ajesta]de. 8 de 8[tu]bro de 601.

Do Cabido da See de Coimbra

Gabriel da Costa

Joam Pinto P[re]f[e]ira

Appendix 2

*Transcription of minutes of May 15 1623 meeting of delegates
from three sephardic congregations concerning the arrival at Amsterdam
of Uriel da Costa*

2nd excommunication

Os S[e]n[h]ores deputados da nação fazem saber a V[ossa]s M[ercê]s como tendo notícia que hera vindo a esta cidade hũ homẽ que se pôs por nome Uriel Abadat, e que trazia m[ui]tas opiniões falsas e heréticas contra nossa Santissima Lei, pellas quais jáa em Amburgo e Veneza foi declarado por hereje e excomungado, dezejando reduzi-lo à verdade, fizeraõ todas as diligênci]as necessárias, por vezes, com toda a suavidade e brandura, por meo de hahamim e velhos de nossa nação, a que ditos S[e]n[h]ores deputados se acharaõ presentes. E vendo que por pura pertinácia e arrogância persiste em sua maldade e falsas opiniões, ordenaraõ com os mahamadot das c[e]hilot e cons[entiment]o de ditos hahamim apartá-lo como homẽ já enhermado e maldito del Dio, e que lhe não fale pessoa algũa de nenhũa qualidade, nẽ homẽ, nẽ molher, nẽ parente, nẽ estranho, nẽ entre na casa onde estiver, nẽ lhe dêm favor algũ, nẽ o comuniquem, com pena de ser comprehendido no mesmo herem e de ser apartado de nossa comunicação. E a seus irmãos por bons respeitos se concedeu termo de outo dias p[ar]a se apartarem delle.

Amsterdam, 30 del homer 5383

Samuel Álvares
Josef Abeniacar

Binhamin Israel
Rafael Jesurun

Abraham Curiel
Jacob Franqo

Appendix 3

*Uriel da Costa's own account of his life
(Exemplar humanae vitae),
englished by John Whiston (London, 1740)*

I was born in Portugal in a city of the same name, but commonly called Oporto. My parents were of the nobility and originally descended from those jews who were constrained to embrace the christian religion in that kingdom. My father was a true christian and a man of strict honour and integrity. I had a genteel education at home, servants always to command and a managed Spanish gennet to perfect myself in that exercise of the great horse in which my father was completely skilled, and I endeavoured to follow his steps to the utmost. At length being grown up, and as well accomplished in the liberal arts as young gentlemen generally are, I applied myself to the study of the law. As to my genius and disposition, I was naturally very pious and compassionate, insomuch that I could not hear the story of any person's misfortunes without melting into tears, and had such an innate sense of modesty that I dreaded nothing so much as to suffer disgrace. Not that I had the least cowardice in my temper or was free from resentment when a just occasion offered, for which reason I always had an aversion to that haughty and insolent race of men who are apt to despise and trample upon others, and therefore took all opportunities to defend the oppressed and to make their cause my own.

By religion has my life been made a scene of incredible sufferings. I was educated according to the custom of that country in the popish religion, and when I was but a young man the dread of eternal damnation made me desirous to keep all its doctrines with the utmost exactness. I employed my leisure time in reading the Gospel and other spiritual books, ran through breviaries of the confessors, and the more time I bestowed upon them, the greater difficulties still rose upon me, which by degrees threw me into such inextricable perplexities, doubts and difficulties as overwhelmed me with grief and melancholy.

It seemed to me a thing impossible by confessing my sins (after the custom of the Roman Church) to obtain by virtue thereof a plenary absolution and to have fulfilled all the things that were required, and this consequently made me despair of salvation, as it was to be obtained only by such particular rules. But as it was a very difficult thing to shake off at once a religion which I had been educated in from my infancy and which by a long implicit faith had taken deep root, I began when I was about twenty years old to question with myself whether or no it was possible for those things which were related of another life to be forgeries, and whether a belief of them was consistent with reason, forasmuch as my reason did perpetually suggest to me things that were directly contrary. Under this doubt I continued some time, and at last came to this settled persuasion that salvation was not to be obtained in the way that I was in. During this time I applied myself to the study of the law, and when I was in my twenty-fifth year an opportunity offered by which I obtained an ecclesiastical benefice, viz. the dignity of treasurer in the collegiate church.

Not being able to find that satisfaction I wanted in the Romish Church, and being desirous to attach myself to one; knowing also there was a great dispute betwixt the christians and jews, I went through the books of Moses and the Prophets, wherein I found some things not a little contradictory to the doctrines of the New Testament, and there seemed to be the less difficulty in believing those things which were revealed by God himself. Besides, the Old Testament was assented to both by jews and christians, whereas the New was believed by christians only. Hence I was induced to become a convert to the law of Moses, and as he declared himself only to be a deliverer of what was revealed by God himself, being called by him to that office or, rather, constrained to accept it (so easily are the ignorant imposed on), I thought it my duty to make the law the rule of my obedience. Having entered upon this resolution, and finding it unsafe to profess this religion in that country, I began to think of changing my habitation and leaving my native home. In order to [effect] this I immediately resigned my ecclesiastical benefice in favour of another, unbiased either by the profits or honour of it, which are two prevailing motives with the people of our nation. I also left a handsome house situated in the best part of the city, that my father had built. Which having done, my mother, brothers and myself embarked on board a ship, though at a very great hazard, it not being lawful for those that are descended from the jews to depart the kingdom without the king's special license. I must acquaint the reader that, from a principle of natural affection, I had communicated to them my sentiments on the falsity of our religion, though such a discovery might have proved fatal to me, so dangerous a thing is it in that country to speak freely on this subject, though to the dearest friends. Having finished our voyage and being arrived at Amsterdam, where we found the jews professing their religion with great freedom, as the Law directs them, we immediately fulfilled the precept concerning circumcision.

I had not been there many days before I observed that the customs and ordinances of the modern jews were very different from those commanded by Moses. Now if the Law was to be strictly observed, according to the letter, as it expressly declares, it must be very unjustifiable in the jewish doctors to add to it inventions of a quite contrary nature. This provoked me to oppose them openly: nay, I looked upon it as doing God service to defend the Law with freedom against such innovations. The modern jewish rabbins, like their ancestors, are an obstinate and perverse race of men, strenuous advocates for the odious sect of the Pharisees and their institutions, not without a view to gain and, as is justly imputed to them, vainly fond of the uppermost seats in the synagogue and greetings in the market. Men of this character could not bear that I should differ from them, though in the most minute points, insisting upon my following their steps exactly in everything or else threatening to exclude me from their synagogue and to pass full sentence of the greater excommunication upon me. But as it was unworthy of him who had so lately left his native country and been content to forego many other temporal advantages for liberty of conscience to be overawed and forced to submit to men who had no right to such a power (besides, I thought it both sinful and beneath a man to be

a slave in things pertaining to conscience), therefore I resolved rather to suffer the worst they could inflict rather than recant. Accordingly they excommunicated me from their society, insomuch that my own brothers, who before took me for their teacher in spiritual things, durst not take any notice of me as they passed by me in the street, for fear of the rabbins.

This situation of affairs put me upon writing a treatise in defence of myself, and to prove plainly out of the Law of Moses the vanity and invalidity of the traditions and ordinances of the Pharisees, and their repugnancy to that Law. After I had begun this work (for I think myself obliged to relate everything plainly and circumstantially), it happened that I entirely agreed with the opinion of those who confine the rewards and punishments proposed in the Old Testament to this life only, and seem to be little concerned about a future state or the immortality of the soul, being induced to embrace this opinion by the following arguments among others: because the Law of Moses is quite silent as to the last two points and only proposes temporal rewards and punishments to the observers and transgressors thereof. This was no small matter of triumph to my adversaries, to find that I had entertained such opinions, thinking they had thereby gained the christians to their party, who by their faith in the Gospel — which expressly mentions eternal rewards and punishments — do believe and maintain the immortality of the soul. It was with this view of rendering me odious to the christians and to silence me entirely that before my book was put to the press they employed a certain physician to publish a treatise entitled «Of the Immortality of the Soul,» in which the doctor inveighed bitterly against me as one who defended Epicurus' principles and who, by denying the immortality of the soul, did in a manner dispute the being of God. Whereas at that very time I had conceived but an ill opinion of Epicurus and, being prejudiced by the unfair relations of other people, without hearing what he had to say for himself, did not scruple to censure him with great freedom. But, having heard the sentiments of some impartial lovers of truth concerning him and his doctrine, I have found reason to change mine and to be sorry for the injustice I did him then in pronouncing so great a man to be both absurd and mad, when at this very time I am so far from being a competent judge of his opinions that I am an utter stranger to his works.

The next step they took was to set children upon me in the streets who insulted me in a body as I walked along, abusing and railing at me, crying out: «There goes a heretic, there goes an apostate!» At other times they assembled together before my doors, flinging stones at the windows and doing everything they could to disturb and annoy me, so that I could not live at quiet in my own house.

After the doctor's book I have mentioned was published, immediately I set about my own defence and wrote an answer to it, in which I opposed the doctrine of the soul's immortality with all the strength I was able, glancing by the way at the deviations of the Pharisees from the Mosaic Institution. No sooner had this appeared in print, than the senators and rulers of the jews agreed to lay an information against me before the public magistrate, setting forth that I had published a book to disprove the immortality of the soul, and that with a view to subvert not only the jewish, but also the christian religion. Upon this information I was apprehended and sent to prison from whence, after a confinement of eight or ten days, I was discharged upon giving security. For I was fined by the magistrate in the penalty of three hundred florins, besides the forfeiture of my books lately published. Some time after this, as age and experience are apt to occasion new discoveries to the mind of man and, consequently, to alter his judgement of things (let me here declare my mind freely, for what should hinder a man from speaking the truth without reserve, who is just going to make his exit and to leave behind him a sad though true example of human misery?), it was some time after this, I say, that I began to question with myself whether the Law of Moses ought to be accounted the Law of God, seeing there were many arguments which seemed to persuade or rather determine the contrary. At last I came to be fully of opinion that it was nothing but a human invention like many other systems in the world and that Moses was not the writer, for it contained many things contrary to the Law of Nature. And God, who was the author of that Law, could not contradict Himself, which He must have done had He given to men a rule of obedience contrary to that first Law. Having thus determined this point, I began to reason with myself in the following manner (I wish I had never entertained such a thought!): What can it profit me to spend all my days in this melancholy state, separated from the society of this people and their elders, especially as I am a stranger in this country, destitute of any acquaintance with its inhabitants or even knowledge in its language? How much better will it be for me to return to their communion and to conform to their ways, in compliance with the proverb which directs us «at Rome

to do as they do at Rome»? These considerations prevailed with me to return to their society. Accordingly, I made a formal recantation and subscribed such articles as they were pleased to impose upon me, after having lived fifteen years in a state of separation from them. I must observe that a certain cousin of mine helped to mediate this reconciliation betwixt us.

A few days after this I was accused by a lad, my nephew, whom I kept in my house, in relation to meats, the manner of dressing them and other ceremonies of the like nature, by which it appeared that I did not conform to the customs of the jews. Upon this information new and cruel proceedings were commenced against me. For my cousin, whom I mentioned before as a sort of mediator betwixt us, thinking that this behaviour of mine reflected dishonour on his mediation and being, besides, a proud, resentive, bold fellow and very hasty, declared himself openly my inveterate enemy, and seducing all my brothers over to his side, left nothing unessayed that might ruin me in my reputation and fortune and, by consequence, that might deprive me of life itself. He prevented a marriage which I was then just upon the point of concluding, for I had lost my wife lately. He was likewise the occasion that one of my brothers detained from me my effects which he had in his hands, and also put a stop to the dealings which subsisted between us, by which means I suffered a prodigious detriment in my affairs. In a word, he was a most implacable enemy to my reputation, fortune and life. Besides this domestic war (if I may so call it), another of a more public nature was carried on against me by the rabbins and the people, who began to persecute me with fresh hatred, behaving with such insolence to me as raised my just abhorrence and detestation of them. At this time a new affair broke out, as follows:

I happened one day to be in company with two men who came from London to Amsterdam, the one a Spaniard, the other an Italian — both christians and not so much as related to the jews by descent — who, taking an opportunity to declare to me their necessitous condition, asked my advice touching their becoming proselytes to judaism. Whereupon I dissuaded them from any such purpose, advising them rather to bear the inconveniences of their present condition than to subject themselves to so heavy a yoke, the grievousness of which they were unacquainted with — cautioning them at the same time not to make the least mention to the jews of what had passed between us, which they faithfully promised me. But these perfidious wretches, induced by the hopes of filthy lucre, instead of returning to me thanks, went and disclosed all to my dear friends, the Pharisees. Upon this the rulers of the synagogue met, the rabbins were fired with rage and resentment and the insolent rabble cried out with one voice: «Crucify him.» In a word, I was cited to appear before the Sanhedrim, where the articles of my charge were read with as solemn and awful voice as though I had been on my trial for life. And then it was determined that if I was really a jew, I ought to be resigned and submit to their sentence; otherwise I must be excommunicated again.

Very just and equitable judges, who assume to yourselves the power of condemnation and punishment! But if I appeal to your authority for protection against oppression and wrong, then indeed you pretend that you have not authority to interfere in those matters and are only servants and subjects to the civil power! Of what validity then is your judgement, that I should obey it?

Then was read out of a little book my sentence, which was that I must make my entrance into the synagogue dressed in a mourning vestment, holding a black wax taper in my hand, and there to read distinctly before the whole congregation a form of recantation penned by them in which they had described in black and odious colours the great enormity of my crimes. Then I was to submit to be whipped in the same public manner with a scourge made of leather thongs. After that to prostrate myself at the door of the synagogue that they might all pass over me and, moreover, to fast on certain days.

I had no sooner heard my sentence but I was fired with indignation and a just resentment. However, containing my passion as well as I could, I only answered that I could not prevail with myself to undergo such a severe sentence. When I had given in my answer, they consulted together and proceeded to a second excommunication of me. But not content with this, many of them spit upon me as they passed by me in the streets and encouraged their children to do the same. In short, the only reason they did not stone me was because they wanted power.

This persecution lasted the space of seven years, during which time should I relate all that I suffered it would appear incredible, for two parties violently persecuted me: one the whole jewish body, the other my relations, who fought for their revenge in my disgrace. Nor would they be satisfied till they got me into their own power and jurisdiction, saying among themselves: «He is stubborn; he will do nothing till he is forced and

therefore ought to be compelled.» If I was sick, nobody would attend me; if I laboured under any misfortune, it was a matter of triumph and joy to them; if I proposed anyone of their own body to be a judge between us, the proposal was rejected. And, as to disputing things of this nature before a public magistrate, which I began to do, I found it very tedious and difficult, for judicial proceedings are at least both dilatory and expensive. During these my troubles they would often exhort me to submission, saying: «We are all your fathers and therefore you need not fear that we shall act an unfair or unkind part towards you. Only say that you are ready to perform whatsoever we enjoin you and leave the rest to us and all shall be made easy.» This was the very point in dispute and I was also sensible how disgraceful it was to surrender at discretion and depend on their mercy. Yet being desirous to put an end to this long affair, after much reluctance I prevailed with myself to submit to their own terms and make trial of their honour. For thus I argued with myself: «If they deal dishonourably by me they will stand convicted by their own proceedings and make evident their implacable disposition towards me and how little trust is to be reposed in them.»

And, at length, this execrable and detested people did plainly show what their religion and principles are, by treating men of honour and character in as scandalous a manner as if they had been the vilest slaves upon earth. In a word, I said to them: «Behold I depend upon your mercy and am ready to undergo whatever you are pleased to impose on me.» Now let every man of candour and humanity attend to my relation and judge of the sentence which a particular set of people — and under a foreign jurisdiction — passed upon an innocent man.

I made my entrance into the synagogue which was filled with men and women out of curiosity to be spectators. And at the time appointed I went up into the desk which stood in the middle of it and with a distinct voice read over the form of confession which they had drawn up for me, viz. that I deserved to die a thousand deaths for the crimes and misdemeanors I had committed, such as profanation of the sabbath, breach of my religious vow, etc. which I had so far violated as to dissuade others from being converts to judaism; to atone for which impieties I submitted to their sentence and was ready to undergo whatever they were pleased to lay upon me, promising not to be guilty of the like crimes for the future.

When I had finished my lesson I came down from the desk, when the chief priest came up to me and, whispering in my ear, bid me go to a certain corner of the synagogue which, having done, the door-keeper bid me to strip. Accordingly I stripped myself naked down to the waist, tied a napkin about my head, pulled off my shoes and, holding up my arms above my head, clasped a sort of pillar in my hands to which the door-keeper tied them with a band. Having thus prepared myself for my punishment, the virger came to me and with a scourge of leather tongues gave me nine and thirty stripes according to the custom of the jews, it being a precept of their Law that the number of stripes shall not exceed forty. For these very scrupulous and religious gentlemen take due care not to offend by doing too much. During the time of my whipping they sang a psalm. This correction being over, I was ordered to sit on the ground and then the Doctor came to me and absolved me from my excommunication. So now the gate of heaven, which was doubly locked and barred against me before, was flung open all on a sudden. O the ridiculous notions and conceits of mortals! After this I put on my clothes and went to the door of the synagogue, where I prostrated myself, the door-keeper holding up my head whilst all both old and young passed over me, stepping with one foot on the lower part of my legs and behaving with ridiculous and foolish gestures, more like monkeys than human creatures. When they had all done I got up and being washed and made clean by the man who stood by me for that purpose, I went home. Now let nobody say that they did not do me honour, for if they scourged me, yet they lamented over me and stroked my head.

O shameless race of men! O detested fathers! You from whom I had nothing dishonourable to fear! You who said: «Far be it from us to treat you indecently.» Now let anyone who has heard my story judge how decent a spectacle it was to see an old man, a person of no mean rank and who was moreover naturally exceedingly modest, stripped before a numerous congregation of men, women and children, and scourged by order of his judges and those such as rather deserved the name of abject slaves. Let him imagine the confusion and anguish such a one must suffer by being obliged to lie at the feet of his bitterest enemies and be trampled on by those persons who had already loaded him with injuries and insults. Farther let him think he sees his own brothers (O monstrous, inhuman and shameful treatment!) who were educated in the same house with him joining in an unnatural confederacy with his persecutors, unmindful of that

natural affection with which I always loved them and which was so peculiar to me and regardless of the many good offices I had done them, requiting all my tenderness and kindness with shameful injuries and disgrace.

My detested persecutors said in defence of themselves that they only made me a just example of punishment to deter others of their communion from open rebellion against their ordinances and from writing against their doctors.

Most wicked wretches and fathers of all untruth! With how much more justice could I have made you a public example of punishment to deter you from practising the like abuses on men who are sincere lovers of truth, haters of fraud and indifferently the friends of all mankind, of whom you are the common enemies, esteeming all others but as the beasts and scum of the earth, whilst you arrogantly extol yourselves with vain encomiums as the only favourites of heaven; whereas you have really nothing to boast of, unless you think it is praiseworthy to live as vagabonds, banished from the society of men, despised and hated by all for those ridiculous and absurd customs by which you distinguish yourselves from the rest of the world. If you rely on a greater simplicity of manners and integrity of life than other men your pretences are very false, who visibly fall short of many others in these respects.

I affirm, therefore, that if I had not wanted power, I might with just cause have revenged myself of this contemptible crew for the great injuries and mischiefs they did me and which rendered life itself a burden. For who that has any regard to reputation could bear to lead an ignominious life? For (as a certain heathen well observed) it is the duty of every man either to live with honour or to die bravely. My cause is as far superior to theirs as truth is more excellent than falsehood. For whereas they are advocates for a fraud, that they may make a prey and slaves of men, I contend nobly in the cause of truth and assert the natural rights of mankind, whom it becomes to live suitably to the dignity of their nature, free from the burden of superstitions and vain ceremonies. I confess it would have been more for my advantage to have been silent from the first and to have acquiesced under things just as I had found them. This is a more politic way for men who would live free from the insolence of the rabble and the oppression of tyrannical governors. For everyone that is intent on self-interest is industrious to suppress truth, to lay traps for the ignorant and unwary and to trample justice underfoot. But after I was unwarily drawn into and deceived by a false religion and had gone so far as to enter the lists with these champions, I thought it more honourable to die bravely than to have those mortifying reflections which must necessarily attend a base submission.

It was a common argument with them to appeal to their majority in number, objecting to me that as I was alone in the opposition I ought to submit to them.

And indeed, Gentlemen, you are so far in the right that it is the safety and interest of a single person to submit to numbers for fear of falling a sacrifice to their power, but because it is safe it does not therefore follow it is right ingloriously to quit the field to plunderers and robbers. You must therefore allow at least that it is a glorious virtue to make the best stand we are able against the haughty invader, lest success and tame submission encourage him to his insolence and usurpation. It is indeed the part of a truly worthy, a good and generous man to be meek and gentle with those of the same disposition. But to put on the simplicity of the lamb when we are to engage with the fierceness of the lion is foolish and absurd. If to die in our country's cause is deservedly ranked among the most glorious actions because our country is a part of ourselves, ought it not to be esteemed equally glorious to do the same in defence of our reputation and honour which are properly and peculiarly ours and without which we cannot live as becomes men? Unless — as you seem to think — to wallow in the dirt of filthy lucre can denominate us as such.

«But» — say these vile scoffers, trusting in the strength of their number more than that of their cause — «what availeth your contending with us? What can you do against so many?»

I confess it and lament it as my great misfortune that I am overpowered by your multitude. It is owing to this and your bitter reflections on me that my heart burns with resentment and indignation and makes me think it unlawful to use fair play towards such wicked, arrogant and abandoned wretches. All I can say is, I want the power of revenge.

I know that these adversaries, in order to blacken my reputation and traduce me before the illiterate vulgar, would frequently say: «This man is neither jew, christian nor mahometan; he believes no religion at all.»

But take heed, blind Pharisees, what you say! For though your hearts be full of malice and cunning yet, being without light, your tongues betray you. Suppose I was a chris-

tian, what then would you say? It is plain you would call me an idolater and say that the true God from whom I had revolted would pass sentence of condemnation on me, together with Jesus of Nazareth, the teacher of the christians. If I was a mahometan, we all know what names you would honour me with then. So that it is impossible for me to escape your slander and no refuge would be left me but that of falling down at your feet and embracing your abominable and carnal institutions. Now, pray, tell me if you know of any other religion beside those already mentioned — the two last of which you hold to be false and therefore call them deviations from the true one. But methinks I hear you allow one more religion to be truly and properly such and by virtue of which men may please God. For, say you, if all nations — the jews only excepted (for, by the way, you must always distinguish yourselves from the common herd of mankind) — keep the Seven Commandments which you affirm Noah to have observed and others before Abraham's time, this is sufficient for their salvation. By your own confession, then, there is one other religion that I may trust in, though I am descended from the jews. Now let me beseech you that I may be permitted to take my chance among the uncircumcised or, if I cannot obtain this request, I shall take the benefit of that privilege of my own accord.

O thou blind Pharisee who, unmindful of that primary Law which was from the beginning and will be so to the end of things, only makest mention of other Laws of a later date, all of which thou condemnest except thy own! But, of that, others will judge, whether you will or no, according to the rule of right reason, which is the true standard of that Law of Nature which you utterly disregard and would fain bury in oblivion, that you may lay a grievous and heavy yoke on other men and divest them of their reason and sense.

As I have touched upon this point, I shall dwell a little on the subject and take notice of the excellency of this primary Law. Granting, then, that this Law is the common rule of action to all men and suitable to them as they are such, it does certainly link them together in the ties of mutual affection and is an utter stranger to those divisions which occasion hatred and animosity among men and are the greatest evils that infest society. It is that which teaches us the art of living well, which distinguishes between right and wrong and points out what is decent and indecent. Whatever is excellent in the Law of Moses or any other institution, is perfectly contained in the Law of Nature from which, if we deviate never so little, contentions and divisions are the natural consequences. But if we err widely from it, who can describe the distraction, confusion and terrible disasters that must result from such a defection? What are the most useful precepts in the Law of Moses or any other religion, relating to human society and conducing to a friendly intercourse with one another? They are chiefly those of honouring our parents and not to invade the property of others, whether it be in their lives, their characters or fortunes. Now, there is nothing in these which is not dictated by the Law of Nature and does not entirely agree with that rule of right reason. We naturally love our children and children their parents; brother is affectionate to brother and one friend to another. We cannot help desiring that everything belonging to us should be preserved safe and, consequently, hate those who disturb our quiet or endeavour to deceive us. From hence it necessarily follows that we ought not to do those things which we condemn in others. For, if we condemn those who deprive us of our property, the sentence turns upon ourselves if we invade another man's. We have here in one view everything that is material and essential in any other Law.

As to the distinction of meats, let us leave that to the physicians, who will best instruct us which are salutary and which hurtful. With regards to other ceremonials, rites and ordinances such as sacrifices, tithes and all that fraudulent trade contrived to support the lazy with the profits of the industrious, this is the very cause of our complaint, these our misfortunes: that we are misled and deceived in these points by designing men.

All true christians must acknowledge what I have advanced and are much to be commended where they have banished these impositions, only retaining those things which assist us in leading a good moral life. For we cannot be said to live well when we observe many vain ceremonies, but only when we live like rational creatures. But it may be said that the Law of Moses or the Gospel do contain a more noble and perfect system of duty than we are taught by the Law of Nature. One instance is that precept which enjoins us to love our enemies. To which I answer that if we once deviate from the light of nature and think to substitute something more perfect in its place, discord and disputes immediately ensue. For what signifies laying commands on me which I have not in my power to obey? For if it is naturally impossible for me to love my enemy, what effect can such a Law produce, but dissatisfaction and uneasiness of mind? But if it appears not to be impossible to do good to enemies (which we may — and not love them — for

man is naturally prone to humanity and compassion), we cannot from hence deny but — in this sense — the Law of Nature is absolutely perfect.

Now let us consider the inconveniences that arise from deviating very far from the Law of Nature. We before asserted that there is a natural affection between parents and children, between brothers and friends. Now, any positive Law — let Moses, or who will, be the author of it — which commands a father to kill or betray his son, a brother his brother, the wife her husband or one friend another for the sake of religion, does entirely dissolve and break that universal tie and enjoins men that which, if they do perform, will render them notorious offenders against the Law of Nature which abhors such practices.

But why need I instance in these crimes when men have abandoned themselves to such a degree of infatuation as to sacrifice their own children by way of burnt offering to those idols which they ignorantly worshipped, so void were they of all humanity and natural affection? How much happier would it have been if men had kept within those bounds which nature had set and not given themselves up to such abominable inventions! Why need I mention the horrors and anxieties with which some superstitious men have filled the minds of their fellow creatures and which, had they observed only the dictates of nature, they would have been entirely free from? How many live in the state of despair! How many die martyrs to various opinions that have been instilled into them by others! How many devote themselves to a miserable life, tormenting their bodies, giving themselves up to solitude and sadness, perpetually disquieting their minds with apprehensions and making themselves wretched here, for fear of being so hereafter!

To these and innumerable other evils does false religion, invented by weak and wicked men, subject us poor mortals. I speak by woeful experience, for I am one of the deluded who have been fatally deceived by such impostors and ruined by credulity. But it is said again, if there be no other Law than that of Nature and if men have not a firm belief of a future state and are not awed by the dread of eternal punishment, what will be sufficient to refrain them from doing evil continually?

These are inventions of your own which there is much reason to apprehend are with a view to your own advantage, at least with the same design that people tell stories to children of spirits and suchlike, to frighten them into a compliance with their wills and to keep them in awe. These stratagems have the desired effect whilst they continue children, but when they come to the use of their reason they laugh at the cheat and no longer stand in fear of such tales. Just so ridiculous are your frauds and only fit to impose upon children and fools, whereas they who see into them deride both the cheats and the authors. I will not here examine the lawfulness of such frauds, seeing you who are the contrivers of them do allow in your own Law that evil is not to be done that good may come of it, unless you think it no evil to invent lies to the prejudice of others in their most important concerns and to frighten weak people out of their senses. Whereas, had you the least spark of true religion or awe in yourselves, you must be under the greatest dread of future punishment for having introduced so much mischief into the world, for having excited so much discord and division among men and for all your impious and execrable doctrines whereby you are the occasion of setting parents and children against each other.

Give me leave here to propose the following question: if these groundless fears which you instil into the minds of men are contrived on purpose to restrain that natural malignity which is inherent in them and to keep within the bounds of their duty those who would otherwise lead immoral lives, must not you at the same time reflect that yourselves are men of like passions with them, naturally averse to what is good, prone to evil, injurious, without compassion or mercy? But I see everyone of you filled with rage at so insolent a question and justifying his own conduct. «What, are we not all pious and merciful and strict adherers to truth and justice?» I answer: What you thus boastingly say of yourselves is notoriously false. Your accusation of all other men is scandalously unjust, whose natural propensity to evil you pretend to correct with your fictitious terrors. Impiously you reflect on the majesty and goodness of God, whom you represent as a tyrant and a cruel destroyer, and cast a severe reproach on human nature in supposing it to be subjected to so deplorable and wretched a fate as if the common calamities of life that happen to man were not sufficient for his portion of misery. But, granting the corruption of man is very great, which I readily allow (yourselves being a sufficient proof of it, for otherwise you could not be capable of such scandalous forgeries!) yet, upon this supposition, you ought to look out for a more effectual remedy that may be sufficient to expel this general disorder without introducing a worse in its place and to lay aside those impositions which are only fit to frighten children and simple folk. But if the disorder is incurable, then cease

your vain delusive pretences and no longer — like impudent quacks — promise men that health which you are not able to give them, but be content with establishing among yourselves just and reasonable laws providing rewards for the good and suitable punishments for the bad, defending the cause of the injured against the violence of the oppressor that there be no complaining that justice is not executed in the earth and that there is none to deliver the weak out of the hand of the strong.

In a word, if men would follow the dictates of right reason and live according to the laws which nature dictates to them, they would all mutually love and compassionate one another. Everyone would then contribute his utmost to the relief of his neighbor under any affliction or, at least, no man would injure another, for that would be acting contrary to human nature. Indeed, many of the evils that happen in life do arise from hence that men have invented laws directly repugnant to those of nature and thereby give occasion for one man to injure and persecute another.

On the other hand, many deceitfully circumvent the unwary by their extraordinary pretences to piety, using religion as a cloak to make a prey of such as are superstitiously inclined. These may aptly be compared to a thief in the night who treacherously attacks us when we are off our guard and do not suspect any danger. Yet these are the men who are continually vaunting: «I am a jew (or: I am a christian); doubt not my integrity! Rely upon me, I will not deceive you!»

Infamous wretches! He who pretends to be neither of these and only calls himself a man is far preferable to you, for if you will not believe him, you may stand upon your guard. But who can defend himself against you, hypocrites!, who under the mask of sanctity — like the thief before mentioned — come in by stealth and murder us in our sleep.

There is one thing beyond many others that I wonder at and very surprising it is: how the Pharisees, living in a christian country, come to enjoy so much liberty as to judicial power and authority. For I may safely affirm that if Jesus of Nazareth, whom the christians worship, was to preach at this very time at Amsterdam and it pleased the Pharisees to scourge him (as their forefathers did) for opposing and condemning their traditions and hypocrisy, they might do it with freedom and impunity. This is certainly just matter of reproach and what ought not to be tolerated in a free city which professes to protect men in the peaceable enjoyment of their liberty and yet does not screen them from the insolence and injurious treatment of the Pharisees. And, therefore, where a man cannot be allowed an advocate to defend his cause or a judge to punish the injuries done him, it is not to be wondered at if he takes all opportunities to defend and revenge himself.

I have here given the true history of my life, having fairly laid before you the part and character I acted on the vain stage of this world during the course of a most variable and unsettled life. Now, readers, judge impartially and deliver your opinion on what I have written, like brave and honest men, with freedom and truth; and if there is anything in my story which moves your compassion, let it teach you to pity me and to lament the miserable condition of mankind in which you yourselves are equal sharers. That it may be known who was the author of this, let me observe that whilst I lived in Portugal a christian I was called Gabriel Acosta but when I came over to the jews (which I wish I had never done) my name with a little variation was changed into Uriel.

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Juliana Gomes
(*alias* Sara Milano)

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Abraham Milano
(*alias* Dorgo de Pina)

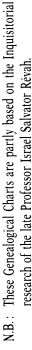
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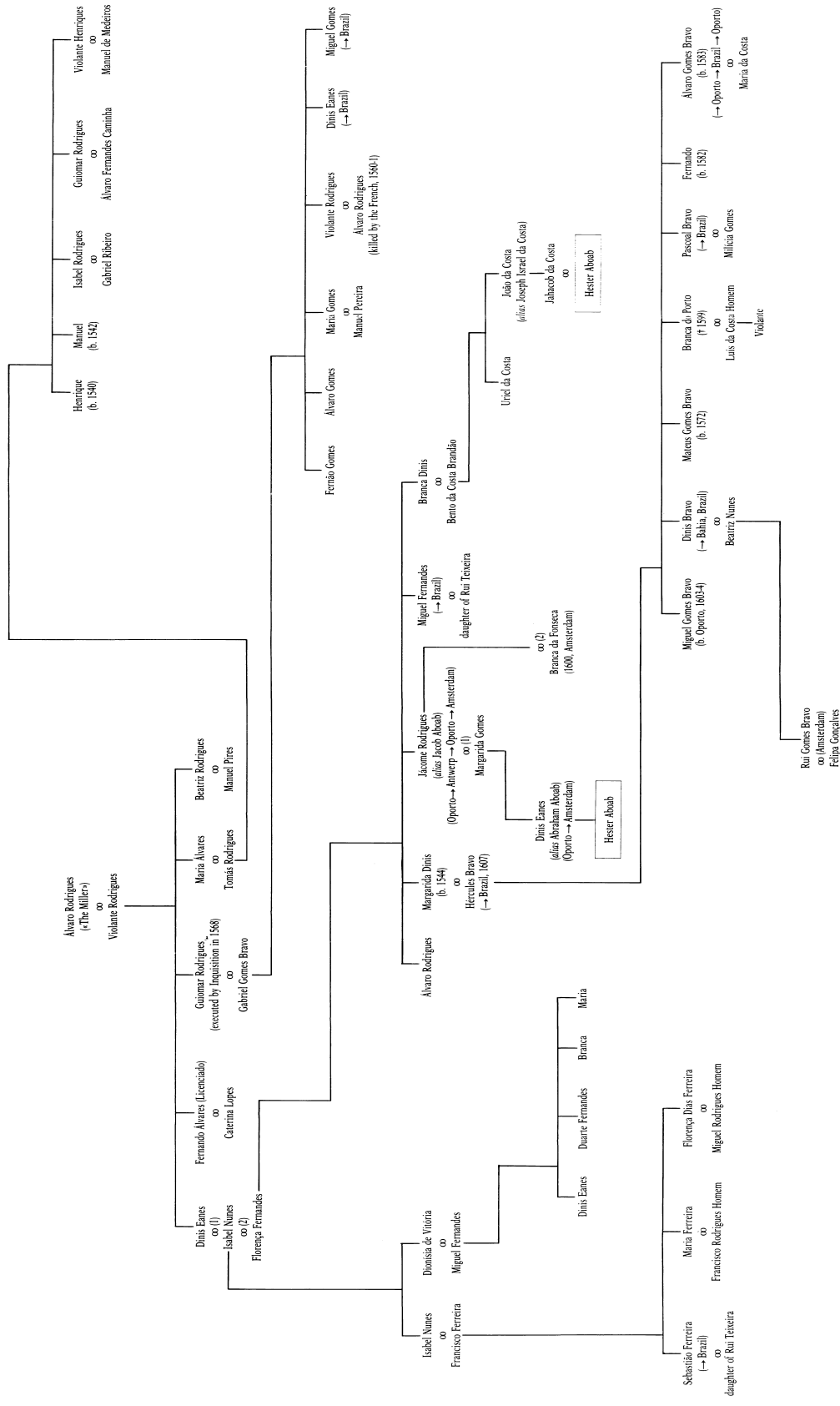
Milano

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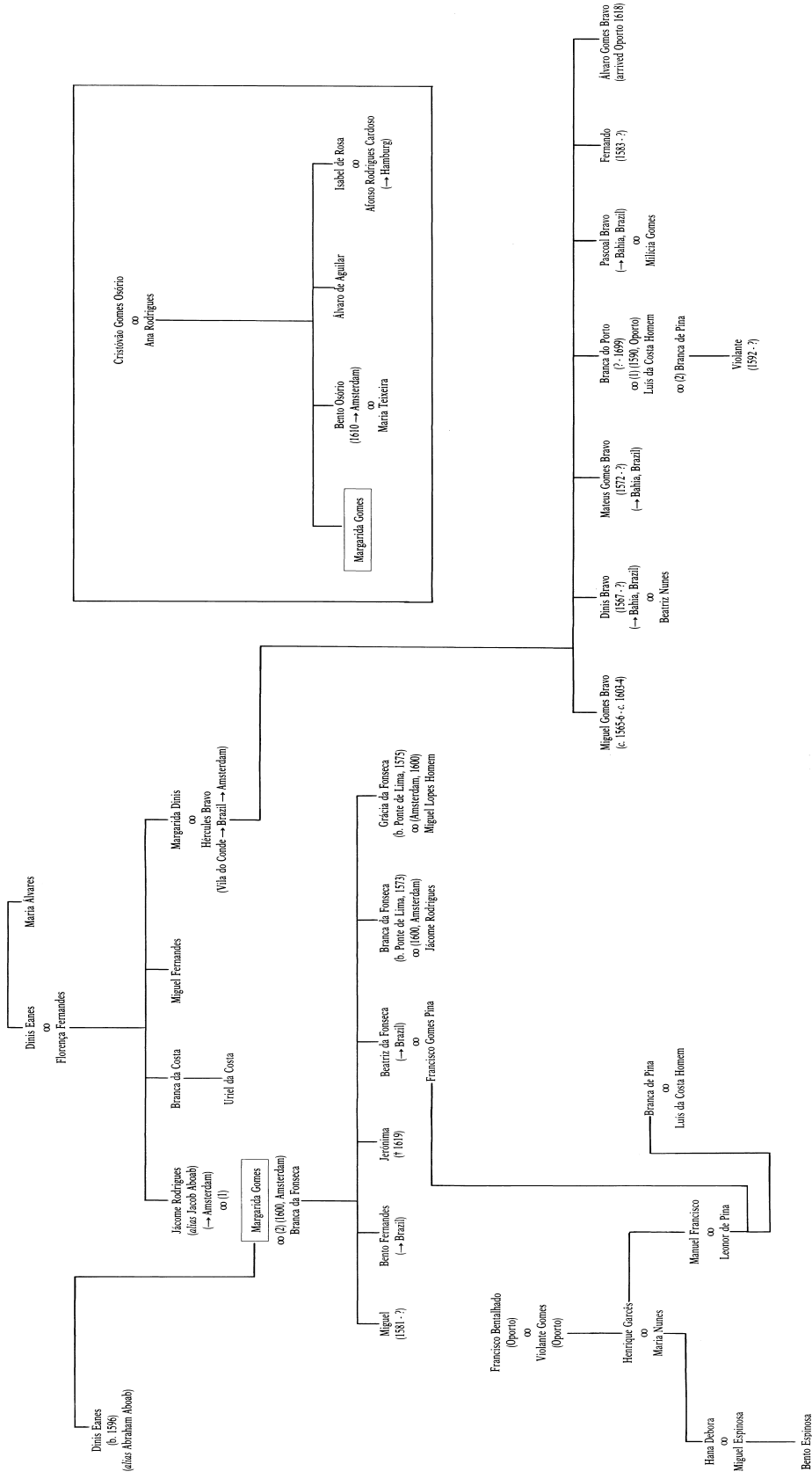
Mordecai Israel da Costa



2) DINIS EANES, MATERNAL GRANDFATHER OF URIEL DA COSTA



3) RELATED FAMILIES





Rua de São Miguel, Oporto, *anno* 1993.

Me de estar admittido, e deslho dar parte do dho Conselho,
 o que não tem foy contra deus, e contra uma immemorial
 mas habiendos ditas Leis, Mas ainda contra os viciados
 de V. mde. não deve ser sua lenha, que as pessoas
 q' V. mde. ordena sejam desnaturalizadas, ou por outras, ou por
 um peccado committido contra a ordem que nisto se tem
 de levar, e não estando em tempo de ganhar as desnaturaliza-
 ções quodidanas, ficando com os intercessores no segui-
 co da igreja, e q' após de estar em deposito de casa dis-
 ciplinada, e do tempo que estive com desnaturalizados, e
 da graça de V. mde. até que alcancem perdão de
 suas culpas, e sejam admittidos, ficando os desnaturalizados
 presentes compoinda com suas diligencias e vultuando
 o peso do dominio da igreja, e por que come hautes
 breves se passão por oit' suffraganeos, sem
 melho deus, e sempre comheimento da causa, nem
 serem expiaes mudas. E deslho que se dma-
 no caso, de Alvaro coadj, a de foy por exemplo, Ba-
 os q' os viciados desnaturalizados, e astando foram Pe-
 cados a V. mde. por foy m. mandamos dho Alvaro
 coadj, por foy o mesmo nella sua pretenção, e exere-
 ua do aposto con uma imbrida qualquer breves, que
 no caso se pedir, ou se pedir, del que bella V. mde.
 não se menor exereua, e sem melho deus serem
 mudas, por parte desta igreja, na qual com opanhi-
 culas foy, e que foy, pedimos foy or-
 des a V. mde. a V. mde. e de foy de foy.

Do sabido da de de ombra



Gabriel de Costa.

12

Jam pinky



Portrait of Leon Modena.

(Detail enlarged from the title page of the 1638 Venice edition of his *Historia de' riti hebraici*).

O Smo. deputado da nação fazem saber a v. m. como tendo noticia q' Sera vindo a esta Cidade Suo Smo. q' se por por nome Priel abbat. e q' de-
ria m. tal omissio crederal falsat e unethical contra no. a sua sancta ley, pella
qual ja em Hamburgo e Breza foi declarada por hereje. e excomungado.

de zeyando a veridica a verdade. p'zerao total ab dila al neygarat por
vezes co toda a suandade. E b'andura por meo del. E a damim. E be-
192 de motta nacao. a gl' d'el' e mott deputado se acia ao p'zentel. E
vendo q' por pura p'etinaeja. E a damim. p'ostito em sua maldade e
falsas e mottel, e odenarao co os m'edamot. Sab e d'el'ol. E co o de
mottel e a damim, apartalo como e omd ja en'ermado, e m'edito del.
30, e q' p'ra mottale p'etora alguma venenue qualidade. ne' ome na
moltrei. ne' parente ne' e o tan e, ne' ente. na casa onde ab'ou, ne' p'ra
dem favor. a gl' nel. e comuniquem. co aena de ser comprehendido no m'ed
mo e aem. e de ser apartado de motta comunicacao. E a sut de m'ed
por bond uo p'el se i comedeu termo de octo d'el. pa se a p'artarem-
velles. A m'edam. 30 del e ome. 5383. A m'edam. 30 del e ome. 5383.

*Keller. Amsterdam 30 del comar. 5383.
Jammie o baron de Binkwin Barabts, Abram Curiel
Joref oberi acatit. Hapstefcurung Jacob Simon*

TRATADO D A Immortalidade:

Da alma

*Composto polo Doutor Semuel da silua, em
que tambem se mostra a ignorancia de certo contra-
riador de nosso tempo que entre outros muytos erros
deu neste delirio de ter para si & publicar que
a alma de homem a caba juntamen-
te com o corpo.*



A AMSTERDAM,

*Impreso em casa de Paulo de Ravestejn.
Anno da criacao do mundo 5383.*

Semuel da Silva, *Tratado da Immortalidade da Alma*, Amsterdam, 1623, title page.

(Bibliotheca Rosenthaliana, Amsterdam).



Houtkopersdwarstraat (*olim* Vloonburghsteeg), Amsterdam, anno 1993.

ESTE LIVRO
FOI PREPARADO
PARA A IMPRESSÃO
NAS OFICINAS GRÁFICAS
DE BARBOSA & XAVIER, LDA.
BRAGA - PORTUGAL
POR MÁRIO FERNANDES
COM ORIENTAÇÃO TÉCNICA
DE FÉLIX A. RIBEIRO
AOS 15 DIAS DE MAIO
DO ANO DE 1993